

# Washington, Friday, February 4, 1914

# Regulations

# TITLE 7-AGRICULTURE

Chapter X—War Food Administration (Production Orders)

[FPO 9, Rev. 3, Director's Order 5]

PART 1220-FEED

SET ASIDE REQUIREMENTS FOR PROCESSORS

Pursuant to the authority vested in me by Food Production Order No 9, Revision No. 3 (8 F.R. 16960), issued on December 18, 1943, and to effectuate the purposes of such order pertaining to set aside requirements for oilseed meal produced by processors, and to secure an equitable distribution of such oilseed meal, it is hereby ordered, that:

§ 1220.7 Set aside requirements for processors of oilseed for March 1944-(a) Amount to be set aside. Each processor shall set aside at each processing plant operated by him 20 percent of his production of cottonseed, soybean, linseed and peanut oil meal, cake or pellets (hereinafter called "oilseed meal"), during March 1944. The amount of production upon which the quantity of oilseed meal set aside is based shall not include any oilseed meal produced for the Commodity Credit Corporation under the provisions of contracts designated "CCC Soybean Form 106, 1943 Crop", and this order shall not apply to oilseed meal produced under such contracts.

(b) Sale and delivery of oilseed meal set aside. (1) Oilseed meal set aside pursuant to this order shall not be sold or delivered by any processor except to a buyer named in a Certificate of Designated Buyer issued by the Agricultural Conservation Committee for the State or county in which the buyer's farm or establishment is located or by the Chief of the Feed and Livestock Branch, Office of Production, War Food'Administration. The certificate shall be in substantially the following form:

CERTIFICATE OF DESIGNATED BUYER

----is authorized to purchase and accept delivery of

(tons									
amoun	ts	set	aside	by	·		 	 	σſ
				-		ame			

(Address of Processor)
of the Director of Food Production. (If, for any reason, delivery of olloced meal cannot be made, this certificate shall be returned by the processor to the issuing Agricultural Conservation Committee with the reasons why

delivery was not made.)

FOOD PRODUCTION ADMINISTRATION.

Agricultural Concervation

Committee of \_\_\_\_\_(Address)

J. B. Hurson, Director.

By\_\_\_\_

(Chairman)

(2) Agricultural Conservation Committees may commence issuing Certificates of Designated Buyers pursuant to this order during February 1944, and processors may commence delivery of oilseed meal pursuant to such certificates during February 1944. A processor shall be entitled to credit such deliveries made in February 1944 against the quantity of oilseed meal which he is required to set aside in March 1944, if he makes the report provided for in paragraph (d) (1) hereof.

(3) Shipment of any oilseed meal, set

(3) Shipment of any oilsed meal, set aside pursuant to this order, must be made by a processor within twelve days of the receipt of any such certificate.

(4) The original and the processor's copy of appropriately executed certificates shall be sent by the person responsible for their issuance directly to the processor and a copy shall be sent to the designated buyer. The designated buyer and the processor shall arrange the details of transfer of materials designated on the certificate, using such intermediary parties as the processor may designate. The processor who delivers such oilseed meal pursuant to a certificate shall file such certificate as required under the provisions of paragraph (d) (2).

(c) Existing contracts. If this order

(c) Existing contracts. If this order makes it impossible for a processor to fill all of his contracts for the delivery of oilseed meal, which are in existence on the date of the issuance of this order, he shall not, by reason of this order, re-

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(d) Processor's reports—(1) Report of tonnage for February delivery for credit against March set aside. If a processor wishes to make deliveries of oilseed meal pursuant to this order in February 1944 for credit against his set aside in March 1944, he must report to the Director in writing (or by telegraph) not later than February 25, 1944, the estimated tonnage of each kind of oilseed meal which will be available at each of his processing plants for delivery in February 1944 for such credit. Each processor may also submit such additional information as he deems pertinent to the allocation or distribution of oilseed meal to be set aside under this order.

(2) Report of tonnage set aside and deliveries made. Each processor subject to this order shall file a report with the Director on FPA Form 2 not later than April 10, 1944, for each plant operated by him. Certificates of Designated Buyers, pursuant to which oilseed meal has been delivered, shall be attached to and made a part of FPA Form 2.

(e) Certificates issued by County Agricultural Conservation Committees. No County Agricultural Conservation Committee shall issue Certificates of Designated Buyers unless authorized to do so by its State Agricultural Conservation Committee.

(f) Communications. All reports required to be filed hereunder and all communications concerning this order, unless instructions to the contrary are issued, shall be addressed to the Director of Food Production, War Food Administration, Washington 25, D. C., Ref: FPO 9-5.

Note: The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 176; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FPO 9, Rev. 3, 8 F.R. 16960)

Issued this 3d day of February 1944.

D. A. FITZGERALD. Acting Director of Food Production.

[F. R. Doc. 44-1705; Filed, February 3, 1944; 11:31 a. m.]

Chapter XI-War Food Administration (Distribution Orders)

[FDO 79-136]

PART 1401-DAIRY PRODUCTS

FLUID MILK AND CREAM IN AUGUSTA, CA., SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.171 Quota restrictions—(a) Definitions. When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, cream, or milk byproducts for delivery.

- (4) The term "industrial user" means a person, as determined by the market agent, in the capacity of a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of for resale to consumers off the premises where made.
- (5) The term "base" means the total pounds of milk solids delivered by a handler within the sales area during the base period (i) in the form of milk, or (ii) in the form of cream and milk byproducts, minus the milk solids in quota-exempt deliveries of milk, and cream and milk byproducts, as described in (i) hereof. (For the purpose of this order, the milk solids content of milk, milk byproducts, and cream shall be computed as follows: Each hundredweight of milk, cream, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9,375 pounds of milk solids plus the number of pounds of milk solids calculated by multiplying the pounds of butterfat in such milk, and cream and milk byproducts by .906; and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 62.5 pounds of milk solids plus one pound of milk solids for each one percent of butterfat content of such cheese.)

(b) Milk sales area. The following area is hereby designated as a "milk sales area" to be known as the Augusta, Georgia, sales area, and is referred to hereinafter as the "sales area":

The city of Augusta and the militia districts numbered 119, 120, 123, 600 and 1,269, in Richmond County, Georgia, and the townships of Langley and Schultz in Alken County, South Carolina.

- (c) Base period. The calendar month of June 1943 is hereby designated as the base period for the sales area: Provided, That the month of May may be used as the base period for computing base and quota for deliveries to elementary, junior high and high schools; and Provided further, That in the computations set forth in (e) hereof the total deliveries to elementary, junior high, and high schools in the base period shall be divided by the number of days such schools were in session in lieu of the total number of days in the base period as set forth in (e) (1) and the average daily deliveries so determined shall be multiplied by the number of days such schools are in session in each quota period in lieu of the number of days in the quota period as set forth in (e) (2).
- (d) The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as the quota period for the sales area.
- (e) Handler quotas. Quotas for each handler other than a sub-handler or producer-handler shall be determined as follows:
- Divide his respective bases by the number of days in the base period;
- (2) Multiply the foregoing result by the number of days in the quota period;

- (3) Multiply the aforesaid resulting amounts by 100 percent in the case of the base for milk, and 75 percent in the case of the base for cream and milk byproducts.
- (f) Quotas for handlers who are also producers. Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

 His base period shall be either June or December, whichever represents his larger total deliveries; and,

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e) (3).

(g) Quota adjustments. Each handler may increase his quota for milk within any quota period by one pound of milk solids for each one pound of milk solids he reduces his quota for cream and milk byproducts.

(h) Cream deliveries. The units of cream delivered subject to quota in any quota period shall not exceed 100 percent of the units of cream in his base, irrespective of the milk solids content of such deliveries.

(1) Handler exemptions. Quota shall not apply to any handler who delivers in a quota period a daily average of less than 200 units of milk, cream and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(1) Quota exclusions and exemptions. Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream or other dairy products from which no milk, milk byproducts, or cream, is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) Transfers of bases. The market agent is empowered to transfer base from one handler to another.

(1) Upon receipt of a request in writ-

ing from both handlers; and
(2) Upon application from a handler
and written notice to the Director and to

- and written notice to the Director and to both handlers, (i) to permit deliveries to both handlers, (i) to permit deliveries to a purchaser not being served by a handler whose quota reflects deliveries to such purchaser in the base period, (ii) to permit a handler to serve an account which customarily rotates among several handlers inclusive of a contract let by a public agency or institution on a bid basis, and (iii) to permit a handler to serve an account which he is serving on the effective date of this order and which was served by another handler during the base period.
- (1) Consumer priorities. In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

- The need of children, expectant mothers, and invalids requiring milk;
- (2) Homes and retail stores handling mill: for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(m) Petition for relief from hardship.

(1) Any person affected by FDO 79 or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Danials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(n) Reports. Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas:

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (1) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(o) Records. Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(p) Expense of administration. Each handler shall pay to the market agent, within 20 days after the close of each calendar month, an assessment of \$0.015 par hundredweight of each of milk, milk byproducts, cream, and shim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota pariod and subject to quota regulations under the provisions hereof.

(q) Violations. The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(r) Bureau of the Budget approval. The record-keeping and reporting re-

quirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(s) Effective date. This order shall take effect at 12:01 a.m., e. w. t., Febru-

ary 15, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 1st day of February 1944.

C. W. KITCHEN,

Acting Director of Food Distribution.

[F. R. Doc. 44-1643; Filed, February 2, 1944; 1:05 p. m.]

# [FDO 79-137]

#### PART 1401-DAIRY PRODUCTS

FLUID MILK AND CREAM IN COLUMBIA, S. C., SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

- § 1401.172 Quota restrictions—(a) Definitions. When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:
- (1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on Sep-

tember 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, yendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, cream, or milk byproducts for delivery.

(4) The term "industrial user" means a person, as determined by the market agent, in the capacity of a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of for resale to consumers off the premises where made.

(5) The term "base" means the total pounds of milk solids delivered by a handler within the sales area during the base period (i) in the form of milk, or (ii) in the form of cream and milk byproducts, minus the milk solids in quotaexempt deliveries of milk, and cream and milk byproducts, as described in (j) hereof. (For the purpose of this order, the milk solids content of milk, milk byproducts, and cream shall be computed as follows: Each hundredweight of milk, cream, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of milk solids calculated by multiplying the pounds of butterfat in such milk, and

cream and milk byproducts by .906; and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 62.5 pounds of milk solids plus one pound of milk solids for each one percent of butterfat content of such cheese.)

(b) Milk sales area. The following area is hereby designated as a "milk sales area" to be known as the Columbia, South Carolina, sales area, and is referred to hereinafter as the "sales area":

The city of Columbia and the school districts of Columbia, Hyatt Park, Edgewood, Olympia, and St. Andrews in Richland County, and the township of Congaree in Lexington County, all in the State of South

- (c). Base period. The calendar month of June 1943 is hereby designated as the base period for the sales area: Provided, That the month of May may be used as the base period for computing base and quota for deliveries to elementary, junior high and high schools; And provided further, That in the computations set forth in (e) hereof the total deliveries to elementary, junior high and high schools in the base period shall be divided by the number of days such schools were in session in lieu of the total number of days in the base period as set forth in (e) (1) and the average daily deliveries so determined shall be multiplied by the number of days such schools are in session in each quota period in lieu of the number of days in the quota period as set forth in (e) (2).
- (d) The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as the quota period for the sales area.
- (e) Handler quotas. Quotas for each handler other than a sub-handler or producer-handler shall be determined as follows:
- (1) Divide his respective bases by the number of days in the base period;
- (2) Multiply the foregoing result by the number of days in the quota period; and
- (3) Multiply the aforesaid resulting amounts by 100 percent in the case of the base for milk, and 75 percent in the case of the base for cream and milk byproducts.
- (f) Quotas for handlers who are also producers. Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, whichever represents his larger total deliveries; and,

- (2) The applicable percentages shall be 100 percent in lieu of those specified in (e) (3).
- (g) Quota adjustments. Each handler may increase his quota for milk within any quota period by one pound of milk solids for each one pound of milk solids he reduces his quota for cream and milk byproducts.
- (h) Cream deliveries. The units of cream delivered subject to quota in any quota period shall not exceed 100 percent

of the units of cream in his base, irrespective of the milk solids content of such deliveries.

(i) Handler exemptions. Quota shall not apply to any handler who delivers in a quota period a daily average of less than 200 units of milk, cream and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(j) Quota exclusions and exemptions. Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream or other dairy products from which no milk, milk byproducts, or cream, is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) Transfers of bases. The market agent is empowered to transfer base from one handler to another.

(1) Upon receipt of a request in writing

from both handlers; and

(2) Upon application from a handler and written notice to the Director and to both handlers, (i) to permit deliveries to a purchaser not being served by a handler whose quota reflects deliveries to such purchaser in the base period, (ii) to permit a handler to serve an account which customarily rotates among several handlers inclusive of a contract let by a public agency or institution on a bid basis, and (iii) to permit a handler to serve an account which he is serving on the effective date of this order and which was served by another handler during the base period.

(1) Consumer priorities. In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for

consumption on the premises.

(m) Petition for relief from hardship. (1) Any person affected by FDO 79 or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts'upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate representations and facts stated

therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified,

or reversed by the Director.

(n) Reports: Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas:

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (i) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk,

cream, and milk byproducts.

- (o) Records. Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.
- (p) Expense of administration. Each handler shall pay to the market agent, within 20 days after the close of each calendar month, an assessment of \$0.015 per hundredweight of each of milk, milk byproducts, cream, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.
- (q) Violations. The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.
- (r) Bureau of the Budget approval. The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.
- (s) Effective date. This order shall take effect at 12:01 a. m., e. w. t., February 15, 1944.
- (E.O. 9280, 7 FR. 10179; E.O. 9322, 8 FR. 3807; E.O. 9334, 8 FR. 5423; E.O. 9392, 8 FR. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 1st day of February 1944.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 44-1644; Filed, February 2, 1944; 1:05 p. m.]

# [FDO 79-139]

# PART 1401-DAIRY PRODUCTS

FLUID MILK AND CREAM IN MODILE, ALA., SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

- § 1401.174 Quota restrictions—(a) Definitions. When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:
- (1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on Sep-

tember 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, cream, or milk byproducts for delivery.

- (4) The term "industrial user" means a person, as determined by the market agent, in the capacity of a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of for resale to consumers off the premises where made.
- (5) The term "base" means the total pounds of milk solids delivered by a handler within the sales area during the base period (i) in the form of milk, or (ii) in the form of cream and milk byproducts, minus the milk solids in quotaexempt deliveries of milk, and cream and milk byproducts, as described in (j) hereof. (For the purpose of this order, the milk solids content of milk, milk byproducts, and cream shall be computed as follows: Each hundredweight of milk, cream, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of milk solids calculated by multiplying the pounds of butterfat in such\_milk, and cream and milk byproducts by .906; and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 62.5 pounds of milk solids plus one pound of milk solids for each one percent of butterfat content of such cheese.)
- (b) Milk sales area. The following area is hereby designated as a "milk sales area" to be known as the Mobile, Alabama, sales area; and is referred to hereinafter as the "sales area":

The city of Mobile, Alabama and an area included within a radius of ten (10) miles of the northeast corner of the Mobile County Court House.

(c) Base period. The calendar month of June 1943 is hereby designated as the base period for the sales area: Provided, That the month of May may be used as the base period for computing base and

quota for deliveries to elementary, junior high and high schools; and Provided further, That in the computations set forth in (e) hereof the total deliveries to elementary, junior high, and high schools in the base period shall be divided by the number of days such schools were in session in lieu of the total number of days in the base period as set forth in (e) (1) and the average daily deliveries so determined shall be multiplied by the number of days such schools are in session in each quota period in lieu of the number of days in the quota period set forth in (e) (2).

(d) The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as the quota period for the

sales area.

(e) Handler quotas. Quotas for each handler other than a sub-handler or producer-handler shall be determined as follows:

(1) Divide his respective bases by the number of days in the base period;

(2) Multiply the foregoing result by the number of days in the quota period; and

(3) Multiply the aforesaid resulting amounts by 100 percent in the case of the base for milk, and 75 percent in the case of the base for cream and milk byproducts.

(1) Quotas for handlers who are also producers. Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

 His base period shall be either June or December, whichever represents his

larger total deliveries; and,

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e) (3).

(g) Quota adjustments. Each handler may increase his quota for milk within any quota period by one pound of milk solids for each one pound of milk solids he reduces his quota for cream and milk byproducts.

(h) Cream deliveries. The units of cream delivered subject to quota in any quota pariod shall not exceed 100 percent of the units of cream in his base, irrespective of the milk solids content of such deliveries.

- (i) Handler exemptions. Quota shall not apply to any handler who delivers in a quota period a daily average of less than 150 units of milk, cream and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.
- (j) Quota exclusions and exemptions. Daliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream or other dairy products from which no milk; milk byproducts, or cream, is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups

specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) Transfers of bases. The market agent is empowered to transfer base from one handler to another.

(1) Upon receipt of a request in writ-

ing from both handlers; and

- (2) Upon application from a handler and written notice to the Director and to both handlers, (i) to permit deliveries to a purchaser not being served by a handler whose quota reflects deliveries to such purchaser in the base period, (ii) to permit a handler to serve an account which customarily rotates among several handlers inclusive of a contract let by a public agency or institution on a bid basis, and (iii) to permit a handler to serve an account which he is serving on the effective date of this order and which was served by another handler during the base period.
- (1) Consumer priorities. In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(m) Petition for relief from hardship.
(1) Any person affected by FDO 79 or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(n) Reports. Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotes:

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (i) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(o) Records. Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(p) Expense of administration. Each handler shall pay to the market agent, within 20 days after the close of each calendar month, an assessment of \$0.015 per hundredweight of each of milk, milk byproducts, cream, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(q) Violations. The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(r) Bureau of the Budget approval. The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(s) Effective date. This order shall take effect at 12:01 a.m., e. w. t., February 15, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 1st day of February 1944. C. W. KITCHEN,

Acting Director of Food Distribution.

[F. R. Doc. 44-1646; Filed, February 2, 1944; 1:05 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT Chapter I—Aid of Civil Authorities and Public Relations

PART 5—SAFEGUARDING TECHNICAL INFORMATION

WAR DEPARTMENT CONTRACTORS' REPORT OF ' VISITORS

Section 5.20, pertaining to responsibility of Government contractors, is amended by the addition of paragraph (c) as follows:

§ 5.20 Responsibility of Government contractors. \* \* \*

(c) War Department contractors will submit to the commanding general of the service command, chief of technical service, or Commanding General Matériel Command, Army Air Forces, whichever is appropriate, to whom their plants are assigned for continuing

protection, at the end of each month, and upon the completion of the work or project, a report of all visitors, except United States citizens and Canadian nationals, who have gained information concerning the classified work or projects. These reports will include the following information:

(1) Name, official position, and nationality.
(2) Authority for visit and whether written or oral.

(3) Matters in which the visitors showed the greatest interest.

(4) General nature of questions asked.
(5) Expressed object of the visit.

(6) Estimate of the real object of the visit.
(7) General estimate of ability, intelligence, and technical knowledge of the visitor and his proficiency in the English language.
(8) A brief list of what was shown and

explained.

(R.S. 161; 5 U.S.C. 22) [Par. 61, AR 380-5, 28 September 1942, as amended by C 15, 22 January 1944]

[SEAL]

J. A. Ulio, Major General, The Adjutant General.

[F. R. Doc. 44-1671; Filed, February 3, 1944; 9:59 a. m.]

# • Chapter VII—Personnel

PART 78—DECORATIONS, MEDALS, RIBBONS, AND SIMILAR DEVICES

# AMERICAN DEFENSE SERVICE MEDAL

Sections 78.42 to 78.44, inclusive, pertaining to the American Defense Service Medal, as published in the Federal Register 25 February 1942, (7 F.R. 1413) are retained without change in W.D. Circular No. 27, 19 January 1944.

In § 78.40 paragraphs (b) and (c) are amended and paragraph (d) is added as follows:

§ 78.40 American Defense Service Medal; general. \* \* \*

(b) Organizations in which service required. (1) American Defense Service Medals are awarded for rendition of the prescribed service in any one or more of the following only:

(v) Philippine Army and Philippine Constabulary mustered into the service of the United States.

(2) An American Defense Service Medal will not be awarded by the War Department for service in any one or more of the following:

(v) Philippine Army and Philippine Constabulary not mustered into the service of the United States.

(c) (1) Metal clasp. A metal clasp bearing the inscription "Foreign Service" is authorized to be worn on the ribbon of the American Defense Service Medal by each qualified recipient of the medal who served outside the continental limits of the United States during the period for which the medal is awarded. This includes members of the crew of a vessel sailing ocean waters, even though the vessel may have been based within the continental United States, and members of the operating crew of an

airplane required to make, and actually participating in, regular and frequent trips over ocean waters beyond the continental limits of the United States even though the airplane was based within the continental United States. Not more than one such clasp is authorized.

(2) Bronze star. A bronze star 1/16 inch in diameter will be worn in the center of the service ribbon in lieu of

the authorized clasp.

(d) Service ribbon. The American Defense Service Medal will not be manufactured until after the close of the present war. Pending the issue of the medal, eligible persons may purchase and wear the American Defense Service ribbon. (E.O. 8808 and 45 Stat. 500, 47 Stat. 158; 10 U.S.C. 1415a, 1415b) [Cir 27, W.D., 19 January 1944]

In § 78.41 paragraph (e) is rescinded as follows:

§ 78.41 Award of medals. \* \* \* (e) Manufacture. [Rescinded]

(E.O. 8808 and 45 Stat. 500, 47 Stat. 158; 10 U.S.C. 1415a, 1415b) [Cir. 27, W.D., 19 January 1944]

[SEAL]

J. A. Ulio, Major General. The Adjutant General.

[F. R. Doc. 44-1673; Filed, February 3, 1944; 9:59 a. m.]

# PART 79-PRESCRIBED SERVICE UNIFORM WOMEN'S ARMY CORPS

Sections 79.90 to 79.95 pertaining to the service uniform of the Women's Army Corps are added. The regulations in these sections are also contained in AR 600-39, 5 January 1944, the particular sections being shown in brackets at end of sections.

Sec.

79.90 WAC uniform.

Cap, WAC. 79.91

Jacket, wool, olive-drab, women's, 79.92 officers.

79.93 Skirt, WAC.

79.94 Overcoat, field.

Application of War Department direc-79.95

AUTHORITY: §§ 79.90 to 79.95, inclusive, issued under R. S. 1296; 10 U.S.C. 1391.

§ 79.90 WAC uniform—(a) service uniform. The winter service uniform for Women's Army Corps officers consists of the following items:

(1) Cap, WAC, winter, officer's.

(2) Jacket, wool, olive-drab, women's, officer's, except when waist without coat is authorized.

- (3) Necktie, women's.
  (4) (i) Shoes, low, service, women's, or (ii)
- Shoes, field, women's (optional).
  (5) (i) Skirt, wool, dark, olive-drab, women's, officer's, or (ii) Skirt, WAC, winter, light, officer's.
  - (6) Stockings, WAC, rayon or cotton.
  - (7) Tags, identification. (8) Waist, women's.
- (9) Decorations, service medals and badges (optional).
- (10) Ribbons, service (optional), (11) (i) Gloves, leather, dress, women's,
- (ii) Gloves, wool, olive-drab, women's (optional).
  - (12) (i) Coat, WAC, utility, officer's, or

- (ii) Overcoat, WAC, officer's, or (iii) Raincoat, parka type, women's, officer's, or
- (iv) Overcont, field, women's, officers.
  (i3) Scarf, women's (optional).
  (i4) (i) Overshoes, low, women's, or
  (ii) Overshoes, Arctic, 4-buckle, women's (optional).
- (15) Bag, WAC, utility (optional).
- (b) Summer service uniform. The summer service uniform for Women's Army Corps officers consists of the following items:
  - Cap, WAC, summer, officers'.
  - (2) Jacket, WAC, summer, officer's.(3) Necktie, women's.

- (4) (1) Shoes, low, service, women's, or (ii) Shoes, field, women's (optional).
  (5) Skirt, WAC, summer, officer's.
  (6) Stocking, WAC, rayon or cotton.

(7) Tags, identification. (8) Waist, women's. (9) Decorations, service medals, badges (optional).

- (10) Ribbons, service (optional). (11) Gloves, leather, dress, women's (optional).
- (12) (1) Coat, WAC, utility, officer's, or (11) Raincoat, parka style, women's, officer's, or
  - (iii) Overcoat, field, women's, officer's.
  - (13) Overshoes, low, women's (optional). (14) Bag, WAC, utility (optional).

# [Pars, 7 and 8]

§ 79.91 Cap, WAC. Of adopted design with rigid visor 2% inches in width at center, covered with same ma-terial as cap and having a sliding chin strap % inch in width of same material fastened at each end of visor with small regulation cap button. One center eyelet 1% inches below the top of crown to accommodate cap insignia; two eyelets 11/2 inches below the top of crown and 1/2 inch on each side of the back seam. Sides and crown to be reinforced with suitable stiffening material. [Par. 10]

 $\S79.92$  Jacket, wool, olive-drab, women's, officer's—(a) Design. Of adopted design, peaked lapel collar, single-breasted; well fitted through the chest and shoulders and semi-fitted through the waistline to conform to the lines of the figure; lining, if desired, to be in matching color; to be closed with four large regulation coat buttons equally spaced; four-gore back with center seam.

(b) Collar and lapel. The collar to measure approximately 1% inches in width at the back, the opening between collar and lapel not to exceed ¼ inch. Lapels not more than ½ inch wider than collar end.

(c) Shoulder loops. On each shoulder a loop of same material as the coat, let into the sleeve head seam, placed slightly toward the front, with rounded point of the loop touching lower edge of the collar, buttoning to the coast with a small regulation coat button; loops to be about 1% inches in width at lower end, and tapering to 11/4 inches in width at point of buttonhole.

(d) Pockets. Two pocket flaps simulating breast pockets placed so that they are horizontal. Center and both ends of pocket flap pointed and buttoned with small regulation coat buttons. Two lower hanging slash pockets set in on the diagonal, double piped with self material a full 3% inch in width without any visible stitching on the outside.

(e) Ornamentation, sleeve. Band of braid ½ inch in width, olive-drab color No. 53, the lower edge 3 inches from end of sleeve. [Par. 11]

§ 79.93 Skirt, WAC. Of adopted design, six-gore skirt, with a 1½-inch waistband, and side opening with suitable closure. [Par. 12]

§ 79.94 Overcoat, field—(a) Design. A utility coat, two ply throughout, with a buttoned-in removable wool lining and detachable hood; double-breasted with convertible style roll collar and notch lapel, buttoned down the front with a double row of large regulation overcoat buttons, five on each side, with the top buttons approximately 6% inches apart, and lower buttons approximately 5 inches apart. A rectangular throat piece is provided with two buttonholes for 24ligne buttons. A detachable belt same material as coat with 21/4 inch tongueless bar buckle and belt keeper held in place by two side loops, and a strap keeper and belt strap. Adjustable tabs to button at cuff, with 30-ligne buttons.

(b) Pockets. Two diagonal hanging pockets cut hand opening in lining and finished with pointed flaps buttoning to

the rear.

(c) Shoulder loops. On each shoulder a loop about 6 inches in length, 21/2 inches in width at the lower end and 134 inches in width at the upper end, which is slightly pointed, same material as the coat, let in at the sleeve seam, buttoning at the upper end with a 30-ligne button.

(d) Hood. Detachable, two ply, of same material as overcoat, with five buttonholes for securing to overcoat. Closed at the face by a drawstring inserted in

a tunnel.

(e) Liner. Made from an olive-drab wool fabric with inside yoke, extending down 31/4 inches below the armhole, faced with olive-drab rayon fabric, 12 buttonholes for buttoning into overcoat body. [Par. 13]

§ 79.95 Application of War Department directives. The provisions of War Department regulations and directives governing insignia apply to officers and enlisted women of the Women's Army Corps, except where inappropriate and as modified by War Department instructions. See § 97.22 et seq. [Par. 16]

[SEAL]

J. A. Ulio. Major General, The Adjutant General.

[P. R. Doc. 44-1672; Filed, February 3, 1944; 9:59 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I-Federal Trade Commission -

[Dccket No. 4809]

PART 3-DIGEST OF CEASE AND DESIST **ORDERS** 

CHIEF STATISTICIAN, ETC., ET AL.

§ 3.7 Aiding, assisting and abetting unfair or unlawful act or practice: § 3.55 Furnishing means and instrumentalities of misrepresentation or deception: § 3.69 (a) Misrepresenting oneself and goods-Business status, advantages or connections-Government connection: § 3.69 (a 9.5) Misrepresenting oneself and goods-business status, advantages or connections—nature in general: § 3.72 (n 10) Offering deceptive inducements to purchase or deal—terms and condi-tions: § 3.96 (b) Using misleading name—Vendor—Government connection. In connection with offer, etc., in commerce, of mailing cards designed for use in obtaining information concerning debtors, or any other similar material. (1) using the words "Chief Statistician, or any other words of similar import, to designate, describe, or refer to respondents' business: (2) using, or supplying to others for use; mailing cards or other material which represents, directly or by implication, that such cards or other material are from any department or agency of the United States Government. or that the information sought through such cards or other material is for the use of the United States Government or any department or agency thereof; and (3) using, or supplying to others for use, mailing cards or other material which represents, directly or by implication, that respondents' business is other than that of obtaining information for use in the collection of debts, or that the information sought through such cards or other material is for any purpose other than for use in the collection of debts; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Chief Statistician, etc., et al., Docket 4809, January 8, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 8th day of January, A. D. 1944.

In the Matter of Michel Lipman and Jack Silverman, Individually and Trading as Chief Statistician and as J. Silverman & Associates, and William Edgar Spicer, Individually

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answers of respondents, testimony and other evidence taken before trial examiners of the Commission theretofore duly designated by it, report of the trial examiners upon the evidence, and brief in support of and in opposition to the complaint (oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondents Michel Lipman and Jack Silverman, individually and trading as Chief Statistician and as J. Silverman & Associates, or trading under any other name, and respondent William Edgar Spicer, and respondents' agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of mailing cards designed for use in obtaining information concerning debtors, or any other printed or written material of a substantially similar nature, do forthwith cease and desist from:

1. Using the words "Chief Statistician," or any other words of similar import, to designate, describe, or refer to

respondents' business.

2. Using, or supplying to others for use, mailing cards or other material which represents, directly or by implication, that such cards or other material are from any department or agency of the United States Government, or that the information sought through such cards or other material is for the use of the United States Government or any department or agency thereof.

3. Using, or supplying to others for use, mailing cards or other materials which represent, directly or by implication, that respondents' business is other than that of obtaining information for use in the collection of debts, or that the information sought through such cards or other material is for any purpose other than for use in the collection of debts.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL]

A. N. Ross, Acting Secretary.

[F. R. Doc. 44-1682; Filed, February 3, 1944; 11:16 a. m.]

[Docket No. 5058]

PART 3—DIGEST OF CEASE AND DESIST ORDERS .

L. A. SCHWARZ .

§ 3.55 Furnishing means and instrumentalities of misrepresentation and deception: § 3.69 (a) Misrepresenting oneself and goods—Business status, advantages or connections—Connections and arrangements with others: § 3.69 (a) Misrepresenting oneself and goods—Business status, advantages or connections—Nature in general: § 3.72 (n 10) Offering deceptive inducements to purchase or deal—Terms and conditions: § 3.96 (b) Using misleading name—Vendor—Nature, in general. In connection

with the use in commerce of respondent's printed cards or any other similar material, (1) using the word "Forwarding or any other word or words of similar import to designate, describe or refer to respondent's business; or otherwise representing, directly or by implication, that respondent is in any capacity connected with the transportation or movement of goods or their delivery to the proper recipients thereof; (2) representing, directly or by implication, that persons concerning whom information is sought through respondent's cards or other material are or may be consignees of goods which have been received by respondent in the usual course of his business, or that the information sought through such means is for the purpose of enabling respondent to make delivery of any goods or packages to such persons; and (3) using or supplying to others for use printed cards or other material which represents, directly or by implication, that respondent's business is other than that of the collection of debts or that the information sought through such means is for any purpose other than for use in the collection of debts; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, L. A. Schwarz, Docket 5058, January 13, 1944]

. At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C. on the 13th day of January, A. D. 1944.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondent, in which answer respondent admits all the material allegations of fact set forth in the complaint and waives all intervening procedure and further hearing as to the facts, and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, L. A. Schwarz, individually and trading as the Continental Forwarding System, or trading under any other name, and his agents, representatives and employees, directly or through any corporate or other device, in connection with the use in commerce, as "commerce" is defined in the Federal Trade Commission Act, of respondent's printed cards or any other printed or written material of a substantially similar nature, do forthwith cease and desist from:

1. Using the word "Forwarding or any other word or words of similar import to designate, describe or refer to respondent's business; or otherwise representing, directly or by implication, that respondent is in any capacity connected with the transportation or movement of

goods or their delivery to the proper recipients thereof.

2. Representing, directly or by implication that persons concerning whom information is sought through respondent's cards or other material are or may be consignees of goods which have been received by respondent in the usual course of his business, or that the information sought through such means is for the purpose of enabling respondent to make delivery of any goods or packages to such persons.

3. Using or supplying to others for use printed cards or other material which represents, directly or by implication, that respondent's business is other than that of the collection of debts or that the information sought through such means is for any purpose other than for

use in the collection of debts.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

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[SEAL]

A. N. Ross, Acting Secretary.

[F. R. Doc. 44-1683; Filed, February 3, 1944; 11:16 a. m.]

# TITLE 32-NATIONAL DEFENSE

Chapter VI—Selective Service System
[Amdt. 208, 2d Ed.]

PART 627—APPEAL TO BOARD OF APPEAL APPEAL OF REGISTRANT'S CLASSIFICATION

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are amended in the following respect:

1. Amend paragraph (c) of § 627.2 to read as follows:

§ 627.2 Who may appeal registrant's classification to board of appeal under

certain circumstances.

(c) The registrant, any person who claims to be a dependent of the registrant, or any person who has filed written evidence of the occupational necessity of the registrant may take an appeal authorized under paragraph (a) above at any time (1) within 10 days after the date when the local board mails to the registrant a Notice of Classification (Form 57) or (2) within 30 days after the date when the local board mails to the registrant a Notice of Classification (Form 57), if, on that date, from information in the registrant's file it appears that the registrant is located in one and the local board which classified

the registrant is located in another of the following: the Continental United States, the Territory of Alaska, the Territory of Hawaii, Puerto Rico, or the Virgin Islands of the United States. At any time prior to the date that the local board mails to the registrant an Order to Report for Induction (Form 150), the local board may permit any such person to appeal even though such 10-day period or 30-day period, as the case may be, has elapsed, if it is satisfied that the failure of such person to appeal within the 10-day period or the 30-day period was due to lack of understanding of the right of appeal or to unavoidable delays in communication or some other cause beyond the control of such person. Unless the local board thereafter permits an appeal, the right of such persons to appeal shall expire at the end of the 10-day period or the 30-day period, as the case may be. If such an extension of time to appeal is granted by the local board, a record thereof shall be entered on the Selective Service Questionnaire (Form 40) under the heading "Minutes of Other Actions."

2. Amend paragraph (b) of § 627.24 to read as follows:

§ 627.24 Review by board of appeal.

(b) In reviewing the appeal, the appeal board shall not receive or consider any information which is not contained in the record received from the local board except (1) the advisory recommendation from the Department of Justice under § 627.25, and (2) general information concerning economic, industrial, and social conditions.

3. The foregoing amendments to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

Lewis B. Hershey,

Director.

JANUARY 31, 1944.

[F. R. Doc. 44–1650; Filed, February 2, 1944; 2:20 p. m.]

[Amdt. 209, 2d Ed.]

PART 629-PHYSICAL EXAMINATION

MISCELLANEOUS AMENDMENTS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are amended in the following respect:

1. Amend paragraph (a) and add paragraph (e) to § 629.2 to read as follows:

§ 629.2 Order to report for preinduction physical examination. (a) In accordance with instructions of the Director of Selective Service, the State Director of Selective Service will issue to

each local board a Call—Preinduction Physical Examination (Form 224) specifying thereon the number of specified registrants to be delivered for preinduction physical examination and the time and place fixed for such delivery.

(e) At the time the local board prepares the original Order to Report—Preinduction Physical Examination (Form 215), it shall make a copy of such form and shall file the copy in the registrant's Cover Sheet (Form 53).

Amend paragraph (a) and paragraph (e) of § 629.4 to read as follows:

§ 629.4 Local board physical examination authorized for registrants who request it. (a) When a registrant belleves that he has a disqualifying defect which is manifest, as listed in List of Defects (Form 220), he may present himself for examination at the office of the local board on or before the date specified in the "Important Notice to Registrants" portion of his Order to Report-Preinduction Physical Examination (Form '215). If the registrant claims that he has a disqualifying defect which is manifest, as listed in List of Defects (Form 220), the member or clerk of the local board to whom such registrant presents himself shall, from the information received from the registrant, complete (a) and (b) of Item 18 of Section II of the registrant's Report of Physical Examination and Induction (Form 221) and the registrant shall certify to the correctness of such entries in (c) and (d) of Item 18. The member or clerk of the local board shall then refer the registrant to the local board examining physician for examination. The local board examining physician shall make only such examination as is necessary to determine whether the registrant has one or more of the defects listed in the List of Defects (Form 220). No laboratory work will be authorized except as provided in §§ 629.33 and 629.34. It shall be the duty of the registrant to present himself to the local board examining physician at the time and place designated by the member or clerk of the local board and to submit to such examination by the local board examining physician herein authorized. .

(e) If the local board determines that the registrant has a defect which disqualifies him for military service, it shall:

(1) Classify or reclassify him in Class IV-F or Class I-C under § 623.53 and immediately mail him a Notice of Classification (Form 57), and

(2) Note the fact that he has been found disqualified for service and classifield in Class IV-F or Class I-C in column 3 of the Physical Examination List (Form 217).

No. 25----2

3. Amend § 629.23 to read as follows:

§ 629.23 Request for immediate induction. (a) A registrant who is in Class I-A or Class I-A-0 may be inducted into service at the induction station upon being found qualified for service: Provided, That (1) he signs and files with his own local board a Request for Immediate Induction (Form 219), (2) an appeal is not pending in such registrant's case, and (3) the period during which an appeal may be taken in such registrant's case has expired. If the registrant is forwarded under this paragraph to the induction station for induction instead of for a preinduction physical examination, he will be listed on a Delivery List (Form 151) and his name will be crossed off any Physical Examination List (Form 217) on which it appears.

(b) When a registrant is inducted under the provisions of paragraph (a) of this section, he shall be immediately classified in Class I-C and shall be counted toward filling the next call of the branch of service into which he was inducted.

(c) A registrant who has signed a Request for Immediate Induction (Form 219) shall be forwarded for preinduction physical examination in the usual manner and his Request for Immediate Induction (Form 219) shall be disregarded, if (1) he is in any class other than Class I-A or Class I-A-0, or (2) he is in Class I-A or Class I-A-0 but an appeal in his case is pending, or (3) he is in Class I-A or Class I-A-0 but the period for taking an appeal in his case has not expired.

# 4. Amend § 629.32 to read as follows:

§ 629.32 Mailing Certificate of Fitness to registrant accepted or rejected. When a Certificate of Fitness (Form 218) indicates that a registrant has been accepted for the Army or the Navy or that a registrant has been rejected, the local board shall immediately mail the original of such certificate to the registrant and shall record the date of mailing of such Certificate of Fitness (Form 218) on the registrant's Selective Service Questionnaire (Form 40).

# 5. Amend § 629.35 to read as follows:

§ 629.35 Action when it is found that the registrant is disqualified for service. If, in carrying out the provisions of § 629.33 or § 629.34, it is determined, as a result of a spinal fluid survey, that a registrant has cerebrospinal syphilis or, as a result of other examinations, that a registrant has cardiovascular or visceral syphilis and, in either case, a statement to that effect is filed with the local board by a Public Health Officer, State Medical Officer, or a local board examining physician, or if, for any other reason the registrant is found to be completely disqualified for service, his classification shall be reopened and he shall be placed

in Class IV-F or Class I-C under § 623.53 and neither he nor his records shall be forwarded for further consideration by the armed forces.

# 7. Amend § 629.41 to read as follows:

§ 629.41 Director to determine. Notwithstanding any of the provisions of this part, the Director of Selective Service under such procedures as he prescribes and based upon such information concerning the registrant's physical and mental fitness as he specifies, may direct a local board to classify a registrant in Class IV-F or Class I-C under § 623.53 or as available for service. When he does so, the local board shall classify the registrant as directed.

The foregoing amendments to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY, Director.

JANUARY 29, 1944.

[F. R. Doc. 44-1651; Filed, February 2, 1944; 2:20 p. m.]

# [Amdt. 210, 2d Ed.]

PART 653—WORK OF NATIONAL IMPORTANCE Under Civilian Direction

# RECEPTION AT CIVILIAN PUBLIC SERVICE CAMPS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 653.11 to read as follows:

§ 653.11 Reception at camps. (a) When the assignee has reported to camp, the camp director shall complete the Order to Report for Work of National Importance (Form 50). Four copies of the completed Order to Report for Work of National Importance (Form 50) shall be sent to the Director of Selective Service; one copy will be retained by the camp director. The Director of Selective Service will forward two copies of the Order to Report for Work of National Importance (Form 50) to the appropriate State Director of Selective Service, who will retain one copy for his files and mail the other copy to the local board for filing in the registrant's Cover Sheet (Form 53).

(b) The camp director shall, on the bottom of page 4 of the Original and First Copy of the Report of Physical Examination and Induction (Form 221), place a statement that a registrant is accepted for work of national importance at the civilian public service camp to which the registrant has been assigned. The statement shall specify the date and place of such acceptance and shall be signed by the camp director who shall retain the First Copy of the Report

of Physical Examination and Induction (Form 221) and shall forward the Original to the Director of Selective Service.

(c) Upon receiving notice that a registrant has been accepted for work of national importance, the local board shall not change his classification but shall note the fact of his acceptance for such work in the Classification Record (Form 100).

(d) In the event an assignee does not report to the camp at the time prescribed in his Order to Report for Work of National Importance (Form 50) or pursuant to the instructions of the local board, the camp director will report such fact to the Director of Selective Service.

2. The foregoing amendments to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY, Director.

JANUARY 25, 1944.

[F. R. Doc. 44-1652; Filed, February 2, 1944; 2:20 p. m.]

# Chapter IX-War Production Board

Subchapter B-Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 58 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010-SUSPENSION ORDERS [Suspension Order S-372, Revocation]

PEERLESS STEEL EQUIPMENT CO.

Suspension Order S-372 was issued against Peerless Steel Equipment Company by the War Production Board on July 29, 1943 to take effect on August 5, 1943, and to expire on February 5, 1944. On September 27, 1943 a Stay of Suspension Order S-372 was directed by the Deputy Chief Compliance Commissioner, until February 1, 1944. Included in said direction was a provision that the matter be reviewed between January 15, 1944 and February 1, 1944. A personal hearing, pursuant to said direction, took place before the Deputy Chief Compliance Commissioner on January 27, 1944, at which time it was decided to revoke Suspension Order S-372.

. In view of the foregoing: It is hereby ordered, That § 1010.372, Suspension Order S-372, issued July 29, 1943, be and hereby is revoked.

Issued this 2d day of February 1944.

WAR PRODUCTION BOARD, By J. Joseph Whelan, Recording Secretary.

[F. R. Doc. 44-1669; Filed, February 2, 1944; 4:50 p. m.]

PART 1029-FARM MACHINERY

[Limitation Order L-257, Schedule B]

APPLICABLE SCHEDULE OF QUOTAS FOR FARM MACHINERY AND EQUIPMENT FOR DOMESTIC FARM USE FOR THE CURRENT QUOTA PERIOD JULY 1, 1944 TO JUNE 30, 1945

§ 1029.17 Schedule B to Limitation Order L-257. In accordance with the provisions of Order L-257, this Schedule B is the "Applicable Schedule" for the current quota period July 1, 1944 to June 30, 1945. With a few minor changes, such as consolidations of certain items, it contains the same items and corresponding item numbers as shown on Schedule A. However, there have been important changes in the quota percentages for the new "current quota period", and also more liberal "bracketing" of many items is permitted.

The production quotas set forth in this Schedule B should be used by producers as the basis for planning their production, establishing production schedules and ordering material under CMP. The War Production Board may establish a final distribution pattern which is not in accord with these quotas. Any additional controls or exemptions which may be desirable with regard to production quotas, and any modifications with respect to final distribution of completed machines, will be issued before the effective date of this schelule, which is July 1, 1944. In figuring his anticipated production, each producer must comply with the provisions of the basic Limitation Order L-257 and the explanatory notes to Schedule A.

GROUP 1: PLANTING. SEEDING AND FERTILIZING MACHINERY
DIVISION 1: FLANTERS (HORSE AND TRACTOR DRAWN) Quota
Item No. Percent
1 One row, one horse, corn
o mb
6 Three row and over, corn
6 Three row and over, corn
* '
8 One row, corn 0 9 One row, corn and cotton 73
9 One row, corn and cotton
10     Two row, corn     94       11     Two row, corn and cotton     71       12     Three row and over, corn     125       13     Three row and over, corn and cotton     125
11 Two row, corn and cotton 71
12 Three row and over, corn 125
12 Three row and over, con
13 Three row and over, corn and cotton125]
DIVISION 3: POTATO FLANTERS (HORSE AND TRACTOR DRAWN)
14 One row 140) 14a Two row and larger 140)
DIVISION 4: TRANSPLANTERS
15 Horse or tractor drawn, tractor mounted or self-propelled 147
16 Hand, wheel type 147
DIVISION 5: LISTERS WITH PLANTING ATTACHMENTS (HOBSE OR TRACTOR DRAWN)
17 One row—combined with item 64. 18 Two row—combined with item 65.
18 Two row—combined with item 65. 19 Three row and over—combined with item 68.
DIVISION 6: LISTERS WITH FLANTING ATTACHLIENTS (TRACTOR HOUNTED)
20 One row—combined with item 67. 21 Two row—combined with item 63. 22 Three row and over—combined with item 69.
as amount of the companies there from one

GEOUP 1: PLANTING, SEEDING AND FERTILIZING MACHINERY—Confidued	Ì
DIVISION 7: BEET AND BEAN DEBLIG OR FLANTERS	
Hem No. Quela Percent	-
23 Horse or tractor drawn or tractor mounted 123  PIVISION 8: GRAP: DBILLS	
24 One horre, plain or fertilizer, three to seven	
discorrun 60 25 Fortilizer drills, horsaer tracter drawn 103 20 Plain drills, horse er tracter drawn 01	
DIVISION 9: PROADCAST SEEDERS	
27   Wheeled, herse or tractor drawn   28   Endgate   82   Endgate   42   Endgate   C   C	
DIVISION 10: GARDEN FLANTERS	
30 Hand, wheel type 73 31 Horse or tractor drawn, one row or multiple 74 31 row (one row is a unit) 160	
PIVISION II: FERTILIER PERTAINUTÕES	
32 One row, heres er tracter drawn er tracter mounted	
DIVISION 12" LIME STREADERS (COWERS)  33 Wheeled hopper type cower, here; or treefer	
drawn   C1	
DIVISION 13: HANURE SPREADERS AND LOADERS	
26   Four wheel, herea or tractor drawn	
DIVISION 14: OTHER FLANTING, ECEDENG AND PERTILIZING MACHINES	
38 Limestone pulverizers (farm else, under 14"). 43 39 Uni-carrier, chaesis er rear teel ber (chert and long) for mounting teels, pull type	
long) for mounting teels, pull type E3 Teel frame, attached or rear teel far fabert nond long) for mounting teels on tractor. E3 O Pointo cutter. 100 Mise, planting, seeding and fertilizing equipment E3	
C3	
DIVISION 15: ATTACHMENTS	
41 Attachments for all items in group 1 expressed in terms of net chipping weight in rounds	
GROUP 2: FARM PLOWS AND LISTERS	
DIVISION 1: HOLDBOARD FLOWE (HORCE BRAWN)	
42 Walking, one here, steel bettom	
44 Walking, two heres and larger—combined with item 42	
45 Eulky 20 46 Gang, two battom and larger 29	
DIVISION 2: HOLDBOARD FLOWS (TRACTOR DRAWN) OR HOUNTED)	
47. One bottom, tracter drawn	
48 Two bottom, inecter drawn	
drawn	
51 Five bottom and larger, tracter drawn 57 62 One bottom, tracter mounted 69 690 0ne bottom, two-way (one farrow) tracter	
mounted G  Two bottom, tracter mounted G  (2)	
division 3: disc flows digned drawin	
54 Single disc and larger 0	
<sup>1</sup> Percentage quota is the rame as that listed for the machines with which the ettechment is used unless option is chesen as provided in perceptoph (d) (3) of the Order (L-237).	1

	Divinión 4: Dice plows (tractor drawn)	
Item.		cens cens
23 20	One dice	833
<i>ET</i> 13	Three dies—one connected (1 wheel type)—	80
<i>2</i> 3	combined with item 65  Two dice-direct connected (1 wheel type)—	
C3	combined with item 16. Threadice-direct connected (I wheel type)—	
tob tob	combined with item 67. Three disc, teel bar type—combined with	l
		_
00 00 00 00 00	Four dice, tractor drawn. Five dice, tractor drawn.	74 12 12
-	Six dies and larger, tractor drawn	12
	DIVISION & ONE-WAY DESCRIPTIONS OR THLERS	
ಜ	Under five feet. Five feet and ever.	70
317	1911 O: LICTERS AND MIDDLEDUSTIES (HOUSE ACTOR FRAVE) (WITH OR WITHOUT PLANTE'S BILLENTS)	02 AT-
C4		70)
(3 (3	One rear, hence or treater drawn. Two rear, hence or treater drawn. Three rear and larger, hence or treater drawn.	74 128
219	1911 7: Listees and Middlebustees (teact United) (with 61 without planting atta- 1915)	OZ- 202-
63	One row, tracter mounted. Two row, tracter mounted. Three row and larger, tracter mounted.	60
ğ	Three row and larger, tractor mounted	22
Q UB	DIVICION 8: SUB-COIL PLOWS	Ç.,
70	Here drawn	<b>ഇ</b>
71 72	Tractor drawn Tractor mounted	60) 60)
	DIVISION O: PLOW SICEES	
73	Single or double stocks	Сõ
	DIVISION 10: Grier Plous And Listers	
74	Beein tiller	100
75 76	Bacin filter Cano fow plows Mice, plows and Refers	123 60
	DIVISION 11: ATTACHMENTS	
77		ceđ.
	Attachments for all items in group 2 expressin terms of not shipping weight in pounds (1)	)
Gnor	op 3: Harrowe, Rollers, Pulverizers & St Cutters	ALK
	DIVINON 1: PAINT TAKE HYBEOMS	
73	Spike teeth horrow sections, home or tracter drawn.	c9)
70	Spring tooth harrow sections, horse or tractor	c5
03 c23	Dise horrows, horre drawn	(,,)
£03		70]
	Dave sentence benefits the transfer	70 70
81	mounted  Die harrow, effect—tracter drawn  Dies harrows, tractor mounted and tool har	70
	mounted.  Discharacy, diffet—trotter drawn.  Discharacy, tretter mounted and tool har type, combined with See.  Cara discharacys, tretter mounted and tool tool	70
81	mounted. Dies harrows, effect—tractor drawn. Dies harrows, tractor mounted and tool har type, combined with Se. Cara dies harrows, tractor mounted and tool har type.	70 70
81 81a	mounted.  Dies harrow, effect—tractor drawn.  Dies harrows, tractor mounted and tool har  type, combined with 80e  Care dies harrows, tractor mounted and tool har type.  DIVLION 2: SMOOTH LAND BOLLERS	70
81	mounted.  Dies harrow, direct—tractor drawn.  Dies harrows, treator mounted and tool har- type, combined with 80e.  Cana dies harrows, treator mounted ar i tool har type.  EWLIGH 2: SUGGER LAND BOLLERS  Smooth land rollers, not including lawn rollers.	70
81 61a 62	mounted.  Dies harrow, dietet-trotter dravm.  Dies harrow, dietet-trotter dravm.  Dies harrows, treeter mounted and tool her type, combined with 80e.  Cons dies horrows, treeter mounted and tool her type.  ENVLION 2: SUGOTH LAND HOLLERS  Smooth land rollers, not including lawn rollers.  ENVLION 3: SOLL PULVENIZERS AND PACKERS	70
81 81a	mounted.  Dies harrow, direct—tractor drawn.  Dies harrows, treator mounted and tool har- type, combined with 80e.  Cana dies harrows, treator mounted ar i tool har type.  EWLIGH 2: SUGGER LAND BOLLERS  Smooth land rollers, not including lawn rollers.	70
81 61a 62	mounted.  Dies harrow, effect—brotes drawn  Dies harrow, effect—brotes drawn  Dies harrows, treeter mounted and teel her  type, combined with See  Care dies harrows, treeter mounted and teel  har type  Division 2: Sigoth hand bollens  Smooth hand rollers, not including lawn rollers.  Eivision 3: foll privenizers and packers  Soft priverizers and positive.  Division 4: Stalli Cutters	70
81 61a 62 63	mounted.  Dies harrow, effect—brotes drawn  Dies harrow, effect—brotes drawn  Dies harrows, treeter mounted and teel her  type, combined with See  Care dies harrows, treeter mounted and teel  har type  Division 2: Sigoth hand bollens  Smooth hand rollers, not including lawn rollers.  Eivision 3: foll privenizers and packers  Soft priverizers and positive.  Division 4: Stalli Cutters	70
81 61a 62 63 64b	menuted.  Dies harrow, diete-trotter drawn.  Dies harrow, diete-trotter drawn.  Dies harrows, treeter menuted and tool her type, combined with See.  Care dies horrows, treeter menuted and tool her type.  Environ 2: Sugoth Land Bollers  Smooth land rollers, not including lawn rollers.  Environ 3: Soil fully environs.  Environ 4: Stall cutters  Stalk cutters, horse or treeter drawn.  Weed cutters footery bliede type; not hand	123
81 61a 62 63	mounted.  Dies harrow, diete-trotter drawn.  Dies harrow, dieter mounted and tool har type, combined with 80e.  Cana dies harrows, tractor mounted and tool har type, combined with 80e.  Environ 2: Sugoth Land Bollens  Smooth landrollers, not including lawnrollers.  Eivicion 3: Foll pulvenizers and packers.  Soil pulverizers and positive.  Division 4: Stalle currens  Stalk cutters, horse or tractor drawn.  Weed cutters featery bliefe type; not hand type).  Cana clubble chavers.	123
81 81a 82 83 84 84b 842	mentical.  Dies harrow, diete-trotter dravm.  Dies harrow, dieter mounted and tool her type, combined with See.  Core dies horrows, treater menused are i tool her type.  Division 2: Sugoth Land Boilers  Smooth land rollers, not including lawn rollers.  Environ 3: Soil privenizers and packers.  Edition 3: Soil privenizers and packers.  Evicion 4: Stall cutters.  Stalk cutters, hosp or treater drawn.  Weed cutters (rottery bliefs type; not hand type).  Care stubble chavers.  Evicion & Bridge Duotides	123
81 61a 62 63 64b	mounted.  Dies harrow, effect—trotter drawn.  Dies harrow, effect—trotter drawn.  Dies harrows, treater mounted and tool her type, combined with See.  Care dies harrows, treater mounted and tool her type.  Division 2: seldoth land bollens  Smooth land rollers, not including lawn rollers.  Eivision 3: soll privenizers and packers.  Eivision 4: stall cutters  Stalk cutters, home or treater drawn.  Weed cutters (rottery blade type; not hand type).  Care clubblechavers.  Eivision 4: stall cutters  Ridge bucters, home or treater drawn.  Ridge bucters, treater mounted.	123
81 81a 82 83 84 84b 84c 85 85	mennical.  Dies harrow, diect—trotor drawn.  Dies harrow, diector mounted and tool her type, combined with 850.  Care dies harrows, treater mounted and tool her type, combined with 850.  Environ 2: suggent land bollers  Smooth land rollers, not including laws rollers.  Environ 3: som fullerning land packers.  Environ 3: som fullerning and packers.  Environ 4: stall cutters  Stalk entiers, horse or treater drawn.  Weed entiers (retery blide type; not hard type).  Environ 6: enter harrowers.  Environ 6: enter treater drawn.  Ridge butters, treater mounted.  Environ 6: other harrows and bollers  Environ 6: other harrows and bollers	123
81 81a 82 83 84 84b 842	mennied.  Dies henrow, dietet distri distri Dies henrow, dietet mounted and teel her type, combined with Sie  Care dies henrows, treeter mounted and teel her type, combined with Sie  Environ 2: Sugovh land bollens  Smooth landrollers, not including lawnrollers.  Environ 3: folk fullyenizers and packers  Sull pulverizers and packers  Environ 4: Stalk cutters  Stalk cutters, home or treeter drawn  Weed cutters feetery bliefe type; not hend type).  Cane cubble chavers  Environ & budge buctures  Ridge butters, home or treeter drawn  Ridge butters, treeter mounted  Division & Gither habbows and bollers  Combination herrow and rollers	123
81 81a 82 83 84 84b 84c 85 85 87	mennical.  Dies harrow, diect—trotor drawn.  Dies harrow, diector mounted and tool her type, combined with 850.  Care dies harrows, treater mounted and tool her type, combined with 850.  Environ 2: suggent land bollers  Smooth land rollers, not including laws rollers.  Environ 3: som fullerning land packers.  Environ 3: som fullerning and packers.  Environ 4: stall cutters  Stalk entiers, horse or treater drawn.  Weed entiers (retery blide type; not hard type).  Environ 6: enter harrowers.  Environ 6: enter treater drawn.  Ridge butters, treater mounted.  Environ 6: other harrows and bollers  Environ 6: other harrows and bollers	123

GROUP 2: FARM PLOWS AND LISTERS-Continued

GROUP 3: HARROWS, ROLLERS, PULVERIZERS & STALK CUTTERS—Continued	GROUP 5: FARM SPRAYERS, DUSTERS, & ORCHARD HEATERS—Continued	GROUP 7: FARM HAYING MACHINERY—Continued
DIVISION 7: ATTACHMENTS	DIVISION 5: WEED AND PEAR BURNERS	DIVISION 3: HAY LOADERS Quola
Item No. Quota Percent	Item No. Quota Percent	Hem No. Percent 151 Hay loaders
Attachments for all Items in group 3 expressed in terms of net-shipping weight in pounds (1)	120 Weed and pear burners	DIVISION 4: STACKERS
GROUP 4: CULTIVATORS AND WEEDERS	• •	152 Stationary CO 152a Combination stacker-loaders 150
DIVISION 1: CULTIVATORS (HORSE & TRACTOR DRAWN)	121       Power duster, auxiliary engines       123         121a       Power duster, power take-off       128         122       Traction dusters       100         123       Hand dusters, all types       100	DIVISION 5: PICK-UP HAY BALERS & BALE LOADERS
91 One horse (all types, including hillers, disc hoes, shovel plows, little joes, and similar type harrows and rotary harrows		•
	DIVISION 7: ORCHARD HEATERS  124 Orchard heaters and smudge pots	153         Pick-up hay balers—power take-off
93b Two row, riding, horse drawn	124a Wind frost protection machines	DIVISION 6; OTHER HAVING MACHINERY
One and two low, I daily, asked dawn, 1850a 90	DIVISION 8: ATTACHMENTS	154 Field hay choppers and harvesters
type 100 P5 Beet and beau cultivators 67	125 Attachments for all items in group 5 expressed in terms of net shipping weight in pounds. (1)	DIVISION 7: ATTACHMENTS
toto horse or tractor drawn or fractor	GROUP 6: HARVESTING MACHINERY	in terms of net shipping weight in pounds (1)
mounted 144  56 Field cultivators, including chisels and or- chard cultivators. 82	DIVISION 1: COMBINES (HARVESTER-THRESHERS)	GROUP 8: MACHINES FOR PREP. CROPS FOR MARKET
97 Hand cultivators, wheel type, including hand plows	126       Width of cut, 6 ft. & under, auxiliary engines.       75         126a       Width of cut, 6 ft. & under, power take-off.       75         127       Width of cut, over 6 ft., including 10 ft.       110         128       Width of cut, over 10 ft.       118         128a       Windrowers or swathers.       97	OR USE DIVISION 1: STATIONARY THRESHERS—GRAIN, RICE A
DIVISION 2: CULTIVATORS (TRACTOR MOUNTED). 33	128 Width of cut, over 10 ft	ALFALFA  158 Threshers, width of cylinder under 23 ins 65 159 Threshers, width of cylinder 23 ins. & over 47
98 One row	division 2: grain and rice binders	159 Threshers, width of cylinder 23 ins. & over 47 DIVISION 2: STATIONARY PEA & BEAN THRESHERS
100 Three row and over, all types 130	129 Grain binders (ground drive)	160 Stationary pea and bean threshers
row, corn and cotton 75	131 Rice Dinders	DIVISION 3: PEANUT PICKERS
101d Field cultivator, mounted and tool bar type, including chisel and orchard cultivators 84	DIVISION 3: CORN BINDERS  132 Corn binders, ground drive	161 Peanut pickers
DIVISION 3: BOTARY HOES	132       Corn binders, ground drive	DIVISION 4: ENSILAGE CUTTERS—SILO FILLERS 162 Ensilage cutters (silo fillers)
102 Rotary hoes, horse or tractor drawn 68	division 4: corn pigkers	DIVISION 5: FEED CUTTERS—HAND AND FOWER
DIVISION 4: WEEDERS, DRAWN OR MOUNTED	133 One row, mounted type 150	163 Feed cutters, hand and power 89
103 Rod weeders 60.	133       One row, mounted type	Division 6: Corn Shellers
103         Rod weeders.         60.           104         Tooth weeders, one horse, walking.         150           104a         Tooth weeders, two horse, riding.         150           104b         Tooth weeders, tractor drawn or tractor         150	136 Two row, pull type	164 Corn shellers (hand)       43         165 Spring (2, 4, 6 and 8 holo)       0         166 Cylinder (160 Bu, and under)       43         167 Cylinder (Over 150 bushels)       40
mouncea	137 Field ensilage harvesters (row type)	166 Cylinder (150 Bu. and under)
DIVISION 5: OTHER CULTIVATORS & WEEDERS  105 Beet, cotton, or vegetable thinners	DIVISION 6: POTATO DIGGERS AND PICKERS	DIVISION 7: CORN HUSKERS AND SHREDDERS
105b Cyclone weeder 95 106 Mise, cultivators and weeders 85		168         Combination corn huskers—shredders
o division 6: attachments	138       Walking plow type       150         139       One row, ground drive       120         139a       One row, power take-off       150         139b       Two row, power take-off       150         139c       Potato pickers       150	170 Corn shredders0
107 Attachments for all items in group 4 expressed in terms of net shipping weight in	139b Two row, power take-off 150 139c Potato pickers 150	division 8: Stationary HAY & STRAW BALERS
pounds(1)	DIVISION 7: BEAN CUTTERS OR PULLERS	171       Horse       70         172       Auxiliary engine       30         172a       Belt-driven or power take-off       36         172c       Broom corn balers       79         172d       Peanut bay balers       75
GROUP 5: FARM SPRAYERS, DUSTERS, & ORCHARD HEATERS	140 Horse or tractor drawn127	172c Broom corn balers 79
DIVISION 1: POWER SPRAYERS	DIVISION 8: SUGAR BEET & CANE HARVESTING EQUIPMENT	DIVISION 9: FEED GRINDERS AND CRUSHERS (FARM)
108 Market garden type, under six G. P. M. 90 108a Orchard type, auxiliary engine 70	141   Beet lifters, horse or tractor drawn or tractor mounted 68   141b   Beet harvesters 150	173 Hand
108b Orchard type, power take-off 70 108g Field or row crop type, auxiliary engines 90 108g Field or row crop type, auxiliary engines 90	141c Beet loaders 150 141d Cane harvesters 85	174 Power, burr type
108h Field or row crop type, power take-off 90 108m Field or row crop type, tractor mounted 100 108n Propoller blest type.	141e Cane loaders	175a Roughago mills, combination type with cut- ter head and grinders (69 175b Feed mixers (not concrete mixers)
108n   Propeller blast type	DIVISION 9: OTHER HARVESTING EQUIPMENT	*
DIVISION 2: HAND SPRAYERS WITH TANK, BARREL, KNAF- SACK, ETC. WITH COMPLETE EQUIPMENT (CAP. 1 QT. OR	142 Cotton harvesters, stripper type       150         142a Cotton pickers       150         143 Vegetable pullers and pickers       150	DIVISION 10: GRAIN CLEANERS AND GRADERS 176 Cleaners and graders—farm type (small grain
OVER BUT LESS THAN 6 CAL.)  110 All types other than atomizing	143 Vegetalle blinks and pictors	and seed)
111 Knapsack, self contained, combined with item 110	144 One row soybean harvesters 150	DIVISION 11: SORTERS AND GRADERS
112 Trombone pump type, combined with item	1 144h Flor millers 100	177 Potato sorters and graders
113 Bucket, pump type, single cylinder, com- bland with item 110	144c Hop pickers       67         144d Peanut diggers       150         144e Misc. harvesting equipment       90	177b Vegetable toppers0
Bucket, pump type, double cylinder, combined with item 110.	DIVISION 10: ATTACHMENTS	177c. Nut hullers, graders, sackers, conveyors 10
115 Atomizing, single action (1 qt. and larger capacity). 116 Atomizing, continuous (1 qt. and larger capacity) combined with item 115.	145 Attachments for all items in group 6 expressed in terms of net shipping weight in pounds (1)	DIVISION 12: MAPLE SYRUP EVAPORATORS
	GROUP 7: FARM HAYING MACHINERY	178 Complete sets of pans, not including furnaces. 69 53
DIVISION 3: HAND PUMP SPRAYERS (CAPACITY SIX GAL OF MORE)	DIVISION 1: MOWERS	DIVISION 13: CANE SYRUP EVAPORATORS
117 Barrel pump sprayer 877 118 Wheelbarrow sprayer 90	146 Horse or tractor drawn (ground drive) 49 147 Tractor mounted or semi-mounted (power	180 Complete sets of pans, not including furnaces. 951 181 Furnaces. 77)
DIVISION 4: SPRAY PUMPS, POWER	take-off drive) 76)	DIVISION 14: CANE MILLS—FARM SIZE
119 Spray pumps, power 104  ¹ Percentage quota is the same as that listed	148 Sulky (dump) 62	182 Cane mills (farm size)63
for the machines with which the attachment is	149 Side delivery (including comb, side rakes tedders) 113	DIVISION 15: CIDER MILLS AND FRUIT PRESSES
used unless option is chosen as provided in paragraph (d) (3) of the Order (L-257).	150 Sweep	183 Older mills and fruit presses

GROUP S: MACHINES FOR PREP. CROPS FOR MARKET OR USE—Continued	GROUP 13: DOMESTIC WATER SYSTEMS (FASH TYPE)—Continued	GROUP 17: BARN AND BARNYARD EQUIPMENT DIVINON 1* FEED-CARRIERS, LITTER CARRIERS, AND
DIVISION 16: OTHER MACHINES FOR PREPARING CROPS	DIVISION 3: WATER WELL CACEGO Quela	VEED TRUCTS  Quelz
FOR MARKET OF USE Quota Item No. Percent	Item No. Patent	
Item No.         Factor           184         Tobacco curers         77           185         Broom corn de-seeders         80           186         Miscellancous         80	pipe milis)	
186 Miscellaneous	219 Attachments for all ficms in group 13 ex-	
DIVISION 17: ATTACHMENTS	219 Attachments for all liems in group 13 ex- pressed in terms of not chipping weight in pounds(1)	DIVISION 2: HAY UNLOADERS EQUEMENT
187 Attachments for all items in group 8 expressed in terms of net shipping weight in pounds (1)	Geoup 14: Farm Pumps and Wendmills	24 Hay caming 60 21 Track for hay corring 73 210 Hay forks, harpeon and grapple 60
GROUP 9: FARM ELEVATORS AND BLOWERS	DIVISION 1: FUMPS, WATER	DIVISION 3: CATTLE STALLS, FEN EQUIPMENT AND
DIVISION 1: ELEVATORS—PORTABLE	220 Pitcher Pumps	STANCHIONS
188 Elevators, portable100	division 2: Windivills	273 Cattle stalls & fittings (see par. (f) (1)
DIVISION 2: ELEVATORS—STATIONARY	222 Windmill breads	DIVISION 4: LIVESTOCK DERIGING CUIS AND WATERING
189 Elevators, stationary 72	division 3: FUHP JACES	17001
DIVISION 5: BLOWERS—GRAIN & FORAGE	221 Pump jacks 100	201 Livertech drinking cups 100 202 Outside liverteck watering bewis 80
190 Blowers (grain) 150 190a Blowers (forage) 150	PIVEION 4: ATTACHMENTS	DIVISION 5: DARNYARD STOCK TANKS
DIVISION 4: ATTACHMENTS	226 Attachments for all items in group H expressed in terms of not chipping weight in younds	273   tiernyard cturk tanks
191 *Attachments for all items in group 9 expressed in terms of net shipping weight in pounds (1)	Gnorp 15: Indigation Equipment	DIVISION O: FEEDERS, FEED COORERS AND TANK
GROUP 10: TRACTORS	division is indication funds	HEATERS
DIVISION 1: FARM TRACTORS, WHEEL TYPE. BY RATED BELT H. P.	227 Turbine pumps	277   Livertoes reclars (from end steel)   20   273   Feed crokers   47   277   Tank heaters   100
192 Special purpose, under 30 hp	223 Centrifued pumps. 63 230 Hydraulie rams. 100	207 York heaters. 100 Division 7: Barn Door Trace 4 Hangins
194 All purpose under 30 bp	division .: distribution equipment	CEMOLED LEON THIS OUDER!
DIVISION 2: GARDEN TRACTORS	231 Land levelers	DIVILION 8" OTHER BARN & DARNYAED EQUIPMENT
196 Garden tractors (including motor tillers) 76 DIVISION 3: ATTACHMENTS	231   Land levelers	Zif Hez vaterers. 10.
197 Attachments for all items in group 10 expressed in cet shipping weight in rounds (t)	231d Scrapers	271 Heg fings 110
GROUP II: ENGINES	Norm items 231 to Cild are exclusive al Power Ditchers, Draglines, and Other Self-Powered Machines	2723 Cattle deherming equipment 50 2723 Anti-cow kickers 45
		273   Heg waterers
CIVISION 5: ATTACHMENTS	232 Fertable Pipe and Extensions, Sprinklers (Excluding Lawn Sprinklers), Valves and Gates, Expressed in Terms of Net Shipping Width In the	2725 Mice, barn and bernyard equipment 50
204 Attachments for all items in group 11 expressed in terms of net shipping weight	Division 3: Other farm indigation equipment	division 0: attachments
in pounds	(List Each Item Separately)	273 Attachments for all items in group 17, exprected in terms of net shipping weight in
MOTOR)  DIVISION 1: WAGONS AND TRUCES	233, 234 and 235—Mise	rounds
	DIVISION 4: ATTACHMENTS	Geoup 15: Farm Poultry Equipment
205 Wagon gears (less box) (see par. (f)(1))	236 Attachments for all items in group 15, expressed in terms of net chipping weight in gounds	DIVISION II ENCUPATORS
DIVISON 2: WAGON BODIES	GROUP 16: DAIRY FARM MACRINES & EQUIPMENT	274 incubator, 1,000-cgg capacity and smaller 60 275 Incubators over 1,440-cgg capacity 90
207 Wagon & truck boxes, farm (see par.(f)(1)) 97	DIVISION 1: MILEING MACHINES	DIVISION 2: FLOOD DECODERS
DIVISION 3: FARM SLEIGHS  208 Sleighs & bob-sleds, farm	237 Milking machines (complete cutfits) 22	0 * 6 *CO -NS-N*(***) 175)
208 Sleighs & bob-sleds, larm	Division 2: Parm Cream Separators	276
BY AUTOMOTIVE DIVISION] DIVISION 5: OTHER TRANSFORTING EQUIPMENT (NOT	208 Capacity 200 lbs. per hour or leas	270 Wood (over 100 chick especity
MOTOR TRUCKS)	Division 3: FARM MILE COOLEDS	DIVISION 3: DATTERY DECODERS (HEATED)
210       Tobacco trucks (see par. (f) (1))       70         210a       Buggies and spring wagons, farm       70         211       Cane wagons and carts       113         211a       Misc       50	i i	231   Three deck and smaller (beated)
211 Cane wagons and carts 50	242 Surface or tubular tyre	I i
DIVISION 6 ATTACHMENTS	DIVISION 4: FARM BUTTER MARING EQUITMENT 243 Butter chains	DIVIDIN 4: GROWING AND LAYING BATTERIES
Attachments for all items in group 12 expressed in terms of net shipping weight in pounds (see par. (f)(1))(!)	244 Butter molds	231 Graving
GROUP 13: DOMESTIC WATER SYSTEMS (FARM TYPE	DIVISION 5: OTHER DAIRY FARM EQUIPMENT   245   Milk pails   125   246   Milk strainers   127   247   248   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249   249	DIVINION & POULTRY FEEDERS
DIVISION 1: DEEP & SHALLOW WELL SYSTEMS	246 Milk strainers	23 Peultry feeders (from and steel)
213   Deep well, reciprocal   65   214   Deep or shallow well jet type   81   215   Shallow well, 250-499 gals, per hour.   74   216   Shallow well, 500 gals, per hour and over.   70	245 Cream setter cans	DIVISION 6: FOULTRY WATEREES AND WATER HEATERS
	248e Dairy water heaters (excluding bolier-1575) heaters)	237   Poultry waterers (ion and steel)   0   97   257a   Automotic Ecat valves   100   237b   Fountain heaters   100
DIVISION 2: POWER FUMPS	247 Stirrers 50 248 Cream setter cans 50 248 Cream setter cans 70 248 Strilling tanks 70 248b Dairy weshing tanks 72 248c Dairy water heaters (excluding baller-type 10 2481 Cannecks 70 2482 Mise, dairy farm equipment (list additional itemsseparately) 40	257b Fountain heaters
217 Horizontal type, up to and including 75 gal. P. M. 100 ibs. pressure	DIVISION C: ATTACHMENTS	DIVILION 7: LAYING MESTS AND GER BOXES
<sup>1</sup> Percentage quota is the same as that listed for the machines with which the attachment is	249 Attachments for all items in group 10, ex-	203   Laying mosts (from an 1 steel)
used unless option is chosen as provided in paragraph (d) (3) of the Order (L-257).	pressed in terms of Let empling weight in	230b Gnt baxes (from and steel)

GROUP	18:1	FARM ]	Poultry	Equi:	PMENT-	Con.
						-
DIVIS	10N'8:	OTHER	FARM PO	ULTEY	EQUIPME	NT

DIVISION 8: OTHER PA	RM POULTRY EQUIPMENT
Item No.	Quota Percent
200 Leg bands	1101 1100 1100 1100 1100 1100 1100 110
292g Killing cones 292h Fowl catchers	50
	ATTACHMENTS
293 Attachments for all pressed in terms o pounds	items in group 18, ex- f net shipping weight in
GROUP 19: MISCELLA	NEOUS FARM EQUIPMENT
DIVISION 1: BEE	KEEPERS' SUPPLIES
204 Beekeepers' supplies 205 Beehives (not limited par. (f) (1).	(except bee hives) 119 lexcept iron & steel See
DIVISIO	N 2: SILOS
196 Silos (total wt. of iron	& steel) (See par. (f) (1) _ 80
division 3: horse significant	DES—INCL. MULE & OXEN IOES
297 'Horse shoes (including	ng mule and oxen shoes). 107
DIVISION 4: IIA	RNESS HARDWARE
298 Harness hardware	100
DIVISION T: POWER SH	EEP-SHEARING MACHINES
209 Power sheep-shearin 209a Power cattle and ho	g machines
DIVISION 6: ELECTRI	C FENCE CONTROLLERS
200 Electric fence control 301 Electric fence accesso	llers
division 8: farm w	ood-sawing machines
Farm wood-sawing ered cross-cut and	machines, incl. self-powdrag 5 H. P. and less. 93
DIVISION 9:	FARM GATES
310 Farm gates (see par.	(f) (1))
	RIC PLANTS (WIND-DRIVEN)
311 Farm electric plants generating plants batteries or towers.	s (wind-driven) electric only—does not include ven electric generating ven farm lighting plants forred to enterprise dis
and parteries trails	iven electric generating ren farm lighting plants ferred to automotive di-
	ATTACHMENTS
312 Attachments for all	
pressed in terms of pounds	net shipping weight in
	y of February 1944.
	PRODUCTION BOARD, SEPH WHELAN,
	ecording Secretary.
	Filed, February 3, 1944; a. m.]

PART 1029-FARM MACHINERY [Limitation Order L-257-a, Export Schedules X-11 Through X-18]

APPLICABLE EXPORT SCHEDULES OF QUOTAS FOR FARM MACHINERY, EQUIPMENT AND REPAIRS FOR EXPORT FOR THE CURRENT QUOTA PERIOD JULY 1, 1944, TO JUNE 30, 1945

§ 1029.18 Export Schedule X-11. through X-18 to Limitation Order L-257-a. In accordance with the provisions of Orders L-257 and L-257-a, the following are the "applicable export schedules" for the current quota period

starting July 1, 1944. These are similar to the applicable export schedules for the current quota period ending June 30, 1944, with some minor changes and consolidations, and with certain changes in quota percentages.

The production quotas set forth in these export schedules should be used by producers as the basis for planning their establishing production. production schedules and ordering material under CMP. The War Production Board may establish a final distribution pattern which is not in accord with these quotas. Any additional controls or exemptions which may be desirable with regard to production quotas, and any modifications with respect to final distribution of completed machines, will be issued before the effective date of these schedules, which is July 1, 1944. In figuring his anticipated production, each producer must comply with the provisions of the basic Limitation Orders L-257 and L-257-a.

Quotas for countries listed on Schedules X-11, X-13, X-14, X-15, and X-16, below are expressed as a percentage of one-half the total net shipping weight of the 1940 and 1941 shipments of farm machinery, and equipment and repair parts to all the countries in the particular group.

Quotas for countries listed on Schedule X-17 below are expressed as a percentage of one-half the total net shipping weight of the 1940 and 1941 shipments to each such country.

Note: A quota percentage is not established for countries listed in Schedule X-12 below. Quotas for these countries will be allocated specifically from time to time under paragraph (c) (4) of Order L-257-a.

# SCHEDULE X-11-QUOTA PERCENTAGE 85%

Bolivia -	Haiti
Brazil	Honduras
Chile	Mexico
Colombia	Nicaragua .
Costa Rica	Panama
Cuba	Paraguay
Dominican Republic	Peru
Ecuador	Uruguay
El Salvador	Venezuela
Guatemala	

Note: Argentina has been transferred to Schedule X-12.

# SCHEDULE X-12-QUOTA PERCENTAGE 0%

Aden Arabia Peninsula States Argentina Azores Bahrein Island Belgian Congo Belgium British Oceania British Somaliland Canary Islands Cape Verde Islands Ceylon China Curacao Cyrenaica Denmark Eire Ethiopia . Falkland Islands France French Cameroons French Equatorial Africa French Guiana

French West Africa French West Indies Gibraltar Greece Greenland Iceland Italian Somaliland Italy Liberia Madagascar Malta and Gozo Mauritius and Dependencies Miquelon and St. Pierre Mozambique Netherlands Newfoundland Norway Poland Portugal Portuguese Guinea and Angola

French Oceania

French Somaliland

Rio de Oro and Spanish Guinea St. Helena and Dependencies Spain Spanish Morocco Surinam (Dutch Guiana)

Sweden Switzerland Syria Tangier Tripolitania u. ŝ. s. r. Yugoslavia

SCHEDULE X-13-QUOTA PERCENTAGE 6476

United Kingdom: Great Britain North Ireland Scotland Wales

SCHEDULE X-14-QUOTA PERCENTAGE 712%

French North Africa: Algeria French Morocco Tunísia

SCHEDULE X-15-QUOTA PERCENTAGE 150%

British West Indies: Bahamas Barbados Bermuda Jamaica Leeward Islands Trinidad and Tobago Windward Islands

SCHEDULE X-16-QUOTA PERCENTAGE 37%

British West Africa: Cameroons (British) Gambia Gold Coast Nigeria Sierra Leone

# SCHEDULE X-17-QUOTA PERCENTAGES

Australia	439
British East Africa	164
British Honduras	83
British Honduras	400
Egypt and Sudan	570
India	54
Tran	53
Iraq (Mesopotamia)	800
New Zealand	232
Palestine	208
North and South Rhodesia	230
There's are	330
Turkey	100
Union of South Africa	145
•	

# CANADA

# SCHEDULE X-18

Quotas for the following items of farm machinery and equipment (excluding at-tachments) are expressed as a percentage of one-half the number of units of each item shipped to Canada during the combined calendar years 1940 and 1941; where applicable, the item numbers correspond to those in Schedule B of Order I-257. Bracketed items may be handled as indicated in paragraph (d) (2).

The quota base for each item of attachments, and for repair parts, is one-half the net shipping weight of the 1940 and 1941 shipments thereof. Note option to lump all attachments as provided in paragraph

Items not listed are not to be manufactured for shipment to Canada.

GROUP 1: PLANTING, SEEDING AND FERTILIZING MACHINERY

DIVISION 1: PLANTERS (HORSE AND TRACTOR DRAWN) Quota

Item percentages Two row, corn. 4 6 Three row and over, corn DIVISION 2: PLANTERS (TRACTOR MOUNTED) 10 Two row, corn\_\_\_\_

GROUP 1: PLANTING, SEEDING AND PERTILIZING	GROUP 4: COLTIVATORS AND VILLERS—COR.	GLOUP O. HAMVESING MACHINESI. CONSTRUCT
, Machinery—Continued	DIVISION 1: CULTIVATORS (HORSE OR TRACTOR DRAWN)—continued	DIVISION 3: COMM EINDERS Quota
DIVISION 3: POTATO PLANTERS (HORSE AND TRACTOR DRAWN)		Item percentages
Quota	Quola     Quola	132 Corn binders, ground drive 75
Item percentages	93 One row, riding, two home, shovel	DIVISION 4: CORN PICKEES
14 One row 259	type 96 95 Beet and bean cultivators, two row,	133 One row, mounted type127
DIVISION 4: TRANSPLANTERS	horse drawn 76	134 Two row, mounted type 122 135 One row, pull type 123
15 One row, horse or tractor drawn 87	96 Field cultivators, spring tooth type, seven foot and under 85	136 Two row, pull type132
DIVISION 7: BEET AND BEAN DRILLS OR PLANTERS	type, seven foot and under 85  96c Field cultivators, stiff tooth type,	DIVISION 5: FIELD ENSILAGE HARVESTEES—ROW
23 Four row, horse or tractor drawn 124	over seven foot 85	TYPE
DIVISION 8: GRAIN DRILLS	97 Hand cultivators, wheel type, in- cluding hand plows 100	13/ Field ensilage harvesters (row type) 914
25 Fertilizer, 14 run and under, horse	DIVISION 2: CULTIVATORS (TRACTOR MOURIED)	DIVISION 6: POTATO DIGGERS AND PICKERS
or tractor drawn 67 26 Plain, 14 run and under, horse or	98 One row 83	139 One row, ground drive 172
tractor drawn 92	99 Two row, shovel type 83	139a One row, power take-off 172
26a Plain, over 14 run, horse or trac- tor drawn 92	100 Three and four row, shovel type 83	139b Two row, power take-off 173 139c Potato Pickers (to be allotted)1 173
26b Press drill, horse or tractor drawn_ 37	(beet, bean, and vegetable culti-	
DIVISION 10: GARDEN PLANTERS	vators) 83	DIVISION 8: SUGAE EEET AND CANE HARVESTING EQUIPMENT
30 Hand, wheel type 125	DIVISION 4: WEEDERS, DRAWN OR MOUNTED	141 Beet lifters, horse or tractor drawn_ 97
DIVISION 12: LIME SPREADERS (SOWERS)	103 Rod weeders, horre or tractor drawn 35	GROUP 7: PARM HAYING MACHINERY
33 Wheeled hopper type sower, horse	DIVISION 5: OTHER CULTIVATORS AND WEEDERS	DIVISION 1: MOWERS
or tractor drawn 84	(1) Tobacco cultivators50	146 Herse or tractor drawn (ground
DIVISION 13: MANURE SPREADERS AND LOADERS	GROUP 5: FARM SPRAYERS, DUSTERS, AND	drive) 93
36 Four Wheel, horse or tractor	ORCHARD HEATERS	147 Tractor mounted or semi-mounted (power take-off drive) 93
drawn 133 37 Two Wheel, tractor drawn 131	DIVISION 1: POWER SPRAYERS	(1) Knife or sickle grinder 71
· · · · · · · · · · · · · · · · · · ·	108c Orchard type, 11 to 20 G.P.M. aux-	DIVISION 2: PAKES
GROUP 2: FARM PLOWS AND LISTERS	iliary engines169	148 Sulky (dump) 93
DIVISION 1: MOLDBOARD PLOWS (HORSE DRAWN)	P. M. auxiliary engines 147	149 Side delivery (incl. comb. side rakes and tedders) 129
44 Walking, two horse and larger 57 46 Gang, two bottom and larger 26	109a Traction sprayers, 6 G. P. M. and over147	150 Sweep (horse) 75
DIVISION 2: MOLDBOARD PLOWS (TRACTOR DRAWN	DIVISION 2: HAND SPRAYERS WITH TANK BARREL,	DIVISION 3: HAY LOADERS
OR MOUNTED)	KNAPSACK, ETC. WITH COMPLETE EQUIPMENT	161 Hay loaders 164
47 One bottom tractor drawn 79	(CAP. 1 QT. OR OVER BUT LESS THAN 6 GALS.)	division 4: Stackers
48 Two bottom tractor drawn 78 49 Three bottom tractor drawn 78	110 Compressed air 111 Knapsack, self contained	152 Stationary 100
50 Four bottom, tractor drawn 78	112 Trombone, pump type	DIVISION 5: PICK-UP HAY BALEES AND BALE
51 Five bottom and larger, tractor drawn 77	113 Bucket, pump type, single cylin- der	LOADERS
52 One bottom, tractor mounted 74	114 Bucket, pump type, double cylin-100	153 Pick-up hay balers—Power take off (to be allotted)
53 Two bottom, tractor mounted 73	der 115 Atomizing, single action (1 qt. and	GROUP 8: MACHINES FOR PREPARING CROPS FOR
DIVISION 5: ONE-WAY DISC PLOWS OR TILLERS 63 Under five feet94	larger capacity)	Market of Use
63a Five foot and under eight foot 94	116 Atomizing, continuous (1 qt. and larger capacity)	division 1: Stationary Theeshers—Grain, eice and Alfalfa
63b Eight foot and over 94	DIVISION 3: HAND PUMP SPRAYERS (CAPACITY	158 Threshers, width of cylinder under
	SIX GALLONS OR MORE)	28 ins 40
GROUP 3: HARROWS, ROLLERS, PULVERIZERS & STALK CUTTERS	117 Barrel pump sprayer 165	159 Threshers, width of cylinder 23 ins. and over40
DIVISION 1: FARM TYPE HARROWS	118 Wheelbarrow sprayer 163  DIVISION 4: SPRAY PUMPS, POWER	DIVISION 4: ENSUAGE CUTTEES—SILO FILLEIS
78 Spike tooth harrow sections	119 Spray pumps, power 100	162 Ensiloge cutters (silo fillers) 83
(steel), horse or tractor drawn_ 65	DIVISION G: DUSTEES	DIVISION 5: FEED CUTTEES—HAND POWER
79 Spring tooth harrow sections (steel), horse or tractor drawn_ 65	121 Power duster, auxiliary engines 164	163 Feed cutters, hand and power 105
80b Disc harrows, single over six foot	121a Power duster, power take-off 171	DIVISION 6: COEN SHELLERS
(horse drawn type) 55 80e Disc harrows, single and tandem,	122 Traction dusters 148	164 Corn shellers (hand) 40
over 6 ft. and under eleven 82	Group 6: Harvesting Machinery	165 Spring (2, 4, 6, and 8 hole) 40
80g Disc harrows, wide disc harrows over ten foot, tractor drawn 56	DIVISION 1: COMBINES (HARVESTER THRESHEES)	166 Cylinder (150 bu. and under) 40   167 Cylinder (over 150 bushels) 40
DIVISION 3: SOIL PULVERIZERS AND PACKERS	126 Width of cut, 6 ft. & under, aux-	DIVISION 9: FEED GRINDERS AND CEUSHEES
	iliary engines 119	(FAEM)
GROUP 4: CULTIVATORS AND WEEDERS	126a Width of cut, 6 ft. & under, power take-off 119	174 Power, burr type 183
•	127 Width of cut, over 6 ft. including	176 Hammer type
DIVISION 1: CULTIVATORS (HORSE OR TRACTOR DRAWN)	10 ft 119 128 Width of cut, over 10 feet 119	type with cutter head and
91 One horse (all types) including	128a Windrowers or swathers 244	Grinders ) 175b Feed Mixers (not concrete mix-
hillers, disc hoes, shovel plows,	(1) Pickup for combine 200	ers)198
little joes, and similar type har- rows and rotary harrows 100	DIVISION 2: GRAIN AND RICE DIVIDEES "	DIVISION 10: GRAIN CLEANERS AND GRADERS
	don Musta Startena (massas & delica) On	DIVISION 10: GHAIN CLEANESS AND GHADES
<sup>1</sup> No applicable item number on Schedule	129 Grain binders (ground drive) 67 130 Grain binders (power take-off	176 Cleaners and graders—farm type (small grain and seed) 98

Grou	P 8: MACHINES FOR PREPARING CROPS FOR	GROUP 17: BARN AND BARNYARD EQUIPMENT
	Market or Use—Continued DIVISION 11: SORTERS AND GRADERS	DIVISION 2: HAY UNLOADING EQUIPMENT
	Quota	Quota Item percentages
Item	percentages	254 Hay carriers103
177 (¹)	Potato sorters and graders 86 Roller or crusher 33	255 Track for hay carriers 103 256 Hay forks, harpoon, and grapple_ 103
(1) G1	Pulper 100 ROUP 9: FARM ELEVATORS AND BLOWERS	DIVISION 4: LIVESTOCK DRINKING CUPS AND WATERING BOWLS
	DIVISION 1: ELEVATORS—PORTABLE	261 Livestock drinking cups 131
188 `	Elevators, portable 99	division 5: barnyard stock tanks
	GROUP 10: TRACTORS	264 Hog troughs (iron and steel) 75
divisi	ON 1: FARM TRACTORS, WHEEL TYPE, BY RATED BELT H. P.	DIVISION 8: OTHER BARN & BARNYARD EQUIPMENT 270 Hog waterers
192	Special purpose, under 30 H. P 75	271 Hog rings (to be allotted) 75
193. 194	Special purpose, 30 and over75 All purpose under 30 H. P75	272 Bull rings (to be allotted)  (2) Pulleys & fittings for hay forks (to
195	All purpose 30 and over 75	be allotted).  (1) Calf weaners (to be allotted).
	DIVISION 2: GARDEN TRACTORS	GROUP 18: FARM POULTRY EQUIPMENT
196	Garden tractors (incl. motor till- ers) (to be allotted)	DIVISION 1: INCUBATORS
Grou	P 12: FARM WAGONS, GEARS AND TRUCKS	274 Incubators, 1,000-egg capacity &
	(NOT MOTOR) DIVISION 1: WAGONS AND TRUCKS	smaller 105 275 Incubators, over 1,000-egg capacity 105
205	Wagon gears (less box) (See Par.)	DIVISION 2: FLOOR BROODERS
205a	(f) (1)) Wagon gears (less box) on rubber	277 Coal (over 100 chick capacity)
	(to be allotted)	278 Gas (over 100 chick capacity)
206	Truck gears (less box) (See par. (1) (1)) 97	279 Wood (over 100 chick capacity) 105 280 Electric (over 100 chick capacity) 1
	DIVISION 2: WAGON BODIES	Note: Producers may use one-half their
207	Wagon & truck boxes, farm (see par. (f) (1)) 141	production of oil brooders (over 100 chick ca- pacity), as well as one-half their production of coal, gas, wood and electric types, during
Grov	P 13: DOMESTIC WATER SYSTEMS (FARM TYPE)	1940 and 1941, in figuring their total brooder quota; but they can produce for shipment to
nivisi	ON 1: DEEP AND SHALLOW WELL SYSTEMS	Canada only the coal, gas, wood, and electric types listed above.
213	Deep well, reciprocal128	DIVISION 3: BATTERY BROODERS (HEATED)
214 215	Deep or shallow well, jet type 128 Shallow well, 250-499 gals. per	282 Four deck (heated) 100
	hour 128	DIVISION 8: OTHER FARM POULTRY EQUIPMENT
216	Shallow well, 500 gals, per hour and over128`	(1) Egg cleaners & brushes, hand use only (to be allotted).
	DIVISION 2: POWER PUMPS	GROUP 19: MISCELLANEOUS FARM EQUIPMENT
217	Horizontal type, up to and incl. 75 gal. p. m. 100. lbs pressure 129	DIVISION 4: HARNESS HARDWARE
∘ Gr	OUP 14: FARM PUMPS AND WINDMILLS	298 Harness hardware (to be allotted).
	DIVISION 1: PUMPS, WATER	DIVISION 6: ELECTRIC FENCE CONTROLLERS
220 221	Pitcher pumps 87 Hand and windmill pumps 162	300 Electric fence controllers 225 301 Electric fence accessories 200
	DIVISION 2: WINDMILLS	division 8: farm wood-sawing machines
222	Windmill heads 92	309 Farm wood-sawing machines incl.
223	Windmill towers 47 DIVISION 3: PUMP JACKS	self-powered cross-cut and drag 5 H. P. and less546
224	Pump jacks 158	division 10: farm electric plants (wind-
GROU	p 16: Dairy Farm Machines and Equip-	DRIVEN) 311 Farm electric plants (wind-driven
	MENT DIVISION 1: MILKING MACHINES	electric generating plants only;
237	Milking machines (complete out-	does not include batteries or towers) 25
201	fits) 185	ATTACHMENTS AND REPAIR PARTS
	DIVISION 2: FARM CREAM SEPARATORS	(1) Repair parts, in the aggregate
239	Capacity 251 lbs. to 800 lbs. per	(base is one-half the net ship-
240	hour 186 Capacity 801 lbs. to 1500 lbs. per hour 185	ping weight of total 1940–1941 shipments of repairs) 150
Dinic	IOUT 185	(1) Attachments: Quota percentage for each attachment item is the
243	Butter churns 80	same as that listed above for the
	applicable item number on Schedule	machine or item with which the attachment is used, except that
	Order L-257.	the base is net shipping weight

```
D EQUIPMENT
                ATTACHMENTS AND REPAIR PARTS-Continued
                Item
                                                  percentages
    Quota
                         instead of units. However, op-
 percentages
                         tion may be chosen to lump all
_____ 103
                         attachments as provided in para-
_____ 103
grapple__ 103
                         graph (d) (3) of Order L-257-a.
                   Issued this 3d day of February, 1944.
IG CIPS AND
                                 WAR PRODUCTION BOARD,
                             By J. Joseph Whelan,
_____ 181
                                    Recording Secretary.
                 [F. R. Doc. 44-1701; Filed, February 8, 1944;
eel)_____ 75
                                 11:21 a. m.]
RD EQUIPMENT
                PART 3102-NATIONAL EMERGENCY SPECIFI-
                       CATIONS FOR STEEL PRODUCTS
                   [Limitation Order I-211, Schedule 15 as
                           Amended Feb. 8, 1944]
                      HOT-ROLLED CARBON STEEL BARS
                   § 3102.16 Schedule 15 to Limitation
                 Order L-211—(a) Definitions. For the
..... 105
                purpose of this schedule:
                   (1) "Hot-rolled carbon, steel bars"
_____ 105
                means carbon steel bars in either straight
                bar or coil form produced from billets
city)____
city)____
acity)____
                or blooms by hot-rolling, without subse-
                quent processing for accuracy of cross-
                section or to impart special surface fin-
                ishes. The term does not include tool
ne-half their
                steel bars or concrete reinforcement
100 chick ca-
                bars.
                   (2) "Bars" means rounds, squares,
ir production
types, during
total brooder
                round-cornered squares, hexagons, ovals, half-ovals, half-rounds, flats (1%) inch
shipment to
                or over in thickness and 6 inches and
l, and electric
                under in width), and bar size shapes (angles, channels, and tees under 3 inches on both legs). Rounds, squares,
                hexagons and flats having dimensions in
_____ 100
                excess of those shown in Table 1 of this
schedule are classified as forgings or
plates and are not within the scope of
Y EQUIPMENT
                this definition.
(3) "Carbon steel" means steel other
M EQUIPMENT
                than alloy steel as defined in Order
                M-21-a.
                   (b) Restrictions on sizes. No person
ONTROLLERS
                shall produce or deliver hot-rolled car-
                bon steel bars of any type listed in Table
.____ 225
                1 within the range of sizes there listed,
.____ 200
                except in the sizes listed in that table.
G MACHINES
                   (c) Acceptance of delivery. No per-
                son shall accept delivery of any hot-
                rolled carbon steel bars which he knows
_______<sub>,</sub>546
                or has reason to believe have been pro-
                duced or delivered in violation of the
                provisions of paragraph (b) of this
                schedule.
```

(d) Exceptions. The provisions of

(1) Production, delivery, or acceptance of hot-rolled carbon steel bars for

which an order was entered prior to Sep-

tember 30, 1943, provided shipment of the entire order is made on or before

(2) Delivery or acceptance of hot-

rolled carbon steel bars which because of

errors in manufacture do not conform to

the requirements of this schedule, pro-

viding such requirements are waived by

this schedule shall not prevent:

December 31, 1943.

the purchaser.

(3) Production, delivery, or acceptance of hot-rolled carbon steel bars specifically permitted in writing by the War Production Board.

(e) Records. Each person owning or possessing hot-rolled carbon steel bars excepted by the provisions of paragraph (d) shall retain records of such material available for inspection by duly authorized representatives of the War Production Board.

Issued this 3d day of February 1944. WAR PRODUCTION BOARD. By J. JOSEPH WHELAN, Recording Secretary.

TABLE 1—PERMISSIBLE NOMINAL SIZES AND TOLERANCES

# Sizes (All dimensions in inches)

Rounds (Including bolting materials):
14 to 5%; incl., advancing by sixty-fourths.
2552 to 2152 incl., advancing by thirty-seconds.

21/16 to 41/16 incl., advancing by sixteenths. 41% to 61% incl., advancing by eighths. 6¼ to 8¼ incl., advancing by fourths.

Bolt and rivet sizes: 0.865 0.365 0.912 1.297 0.4450.990 1.360 0.490 0.615 1.047 1.422 1.485 1.110 0.680 0.740 1.172

Heat treated stud rounds: 1.261 0.507 0.883 1.387 1.009 0.632 1.514 1.135

# Squares:

0

1/4 to 1952 incl., advancing by thirty-seconds. 15/16 to 41/16 incl., advancing by sixteenths.

4¼ to 5½ incl., advancing by fourths. Round-corner squares: (sizes, face-to-face):

3% to 1/2 incl., advancing by thirty-seconds; Nominal Corner Radii 1/16.

1732 to 1316 incl., advancing by thirty-seconds; Nominal Corner Radii 3/2.

27/32 to 115/32 incl., advancing by thirty-seconds; Nominal Corner Radii 1/4.

1½ to 11516 incl., advancing by sixteenths; Nominal Corner Radii 1/4.

2 to 2% incl., advancing by sixteenths; Nominal Corner Radii %6.

2½ to 2% incl., advancing by sixteenths; Nominal Corner Radii %.

3 to 3% incl., advancing by eighths; Nominal Corner Radii %6.

31/2 to 3% incl., advancing by eighths; Nominal Corner Radii 1/2.

4 to 41/4 incl., advancing by fourths; Nom-

inal Corner Radii 3.

4½ to 5½ incl., advancing by fourths;
Nominal Corner Radii 34.

Note: Round-corner square bars shall be rolled to dimensions and dimensional tolerances, not to weights per linear foot.

1/4 to 21/52 incl., advancing by thirty-seconds. 21/16 to 41/16 incl., advancing by sixteenths. Square-edge flats:

Widths:

3/8 to 1 incl., advancing by sixteenths. Over 1 to 3 incl, advancing by eighths. Over 3 to 6 incl., advancing by fourths.

1364 and 362 incl., advancing by sixtyfourths.

Over 32 to 1/2 incl., advancing by thirtyseconds.

Over 1/2 to 11/4 incl., advancing by six-

Over 11/4 to 4 incl., advancing by eighths. No. 25-3

Square-edge flats-Continued.

Flats approaching equare shall have an ordered difference between the two dimensions of at least:

1/2 inch for sizes up to and including 1 inch in width.

14 inch for sizes over 1 inch to 2 inches incl., in width.

1/2 inch for sizes over 2 inches in width. Round-edge flats: Widths:

14 to 1 incl., advancing by eighths.
114 to 214 incl., advancing by fourths. 3 to 6 incl. advancing by halves.

Thicknesses: 14 to 1/2 incl., advancing by sixteenths.

% to 1 incl., advancing by eighths.
Note: When intended for cold-drawing, the ordered sizes of flats (square-edge or round-edge) may be increased over the above listed sizes by ½2" or ½0" in width, thickness or both, and the rolling tolerances may be specified all over, provided the total range of the allowable standard tolerance is specified.

Round-edge flat spring steel:

Widths:

114 to 3 incl., advancing by fourths. 3½ to 8 incl., advancing by halves. Thicknesses:

13% to 3% incl., advancing by sixtyfourths.

2552 to 1 incl., advancing by thirty-seconds.

Automotive round-edge leaf-spring flats: Widths:

114 to 214 incl., advancing by fourths. 3 to 6 incl., advancing by halves. Thicknesses:

S. A. E. standard thicknesses expressed in inch-decimals, as follows:

0.132	0.447	
0.145	0.499	
0.160	0.558	
0.176	0.625	
0.194	0.702	
0.214	 0.788	
0.237	0.887	
0.262	0.989	
0.291	1.127	_
0.323	1.273	•
0.360	1.440	
0.401		

Note: Automotive leaf-spring flats shall be specified to the S. A. E. standard cross-sections as described on page 102 of S. A. E. Handbook 1943, in which no concavity is required but a limited concavity is permitted.

# Nut-steel flats:

Widths: To 214 incl., advancing by sixty-fourths. 252 to 4 incl., advancing by thirty-seconds.

Thicknesses:
136, to 134 incl., advancing by sixtyfourths.

12562 to 214 incl., advancing by thirty-

Half rounds:

36 to 1 incl., advancing by eighths. 114 to 2 incl., advancing by fourths.

214 and 3. Sharp orals:

2 x % % % % % % % % % % % % % % % % % %	73 × 730 73 × 730 75 × 730 12 × 14 75 × 730
Blunt orals:	No x 16

900×16 25×16 Half orals:

3!4 x ?\$ 8 x % 216 x %, 14

```
xlo—Co...
42. Iis
43. Iis
44. Iis, 34.
11c. 34. 51s
11c. 34. 51s. 14
14. 51s. 14
15. 51s. 14. 51s
15. 51s. 14. 31s
16. 51s. 14. 31s
17. 51s. 14. 31s
17. 51s. 14. 31s
 Half orals—Continued.
214 X
        X
1% x
1% x
1% x
                                             78. 710. 74. 715
78. 716. 71. 716
78. 716. 71. 716
716. 71. 716
  l x
įšx
   7. X
                                                                  14. Fic. 18
          x
                                                                           %ic. 1/8
    93 X
```

Double-berel-edge flats:

Note: Amended Feb. 3, 1944.

Botto		Top				
Widt					Thick	ness
215	×	1%	x	%16		٠
		135				
2	x	133	x	Sic.	13	
13;	x	114	x	71c.	14	
114	X	1	x	Sic.	14	
1!4	x	171	g X	210.	34	
1	x	78	x		14	
Round		rel-e				
TTT 2 - 1	41		<i></i>			~

wiat	r.	Trickne	33	Corner	aun
134	x	16	x	3/2	
114	x	31G	x	716	
114	x	₹8	x	₹3	
1	x	5ic	x	516	
7:	x	44	x	1,4	
Equal i	leg fille	t angles:			
214	x 21/2	X 1/2, 3	. 4ic. 14	. <del>7</del> 16	
2	x 2	x ¾		, 716. <b>1</b> 5	
19	× 1%	x	1,4	. 7is. 16	
- 4.	416		• /	97. 47	

14. %is. 18 %is. 18 11/5 1 1 38 34 57 14, 716, 161% 75 x x 1/3 16 43 14 Unequal leg fillet angles: er angles:

X 74, 71c, 14, 71c

X 16, 14, 71c

X 14, 71c

X 14, 71c, 15

X 14, 71c, 15

X 14, 71c, 15 214 x 214 x 11/2 134 2 134 154 x 114 x x 71c. 114 1% x x 7i5, x 1052 1!4 1 9ic. 18 x x 94 44 x 1/2 x %5 x

Equal leg square root angles:
2 x 2 x 14 x 2 x 1% 14 14. His

716. 15 716. 18 15 11/2 x 11/2 x 34. x 114 x 1 X X 11/4 78 x ₹6 16 ži

Unequal leg square root angles: Note: The first item amended February 3, 1844.

x 11/4 x 1/4 x 1 x

2

2

Squar	e o	acıs cn	ann	eis:				
width		Flange					We	ď
214	x	58	X			316		
212	x	1592	X				1/3	
2	X	1	X			žic.	1/3	
2 2 2 2	X	5/3	X		14		-	
2	x	916	x			716		
2	×	12	X				½3	
1%	X	1/2	x			9is		
116	X	74	x	<del>5</del> 16			15	
11,6	X	15 74 11 <sub>16</sub>	X		14			
114	x	9ic	x			žis		
1!6	X	916 14 14	x				好好	
11.	x	16	x				73	

Square	зъ	ack ch	annels:		•	
Width		Flange	28		Web	
148	х	910	x	916		
1	Х	1/2	x		1/8	
1	X	38	x		1/8	
3/8	x	746	x		1/8	
7/8	x	38	x	٠ -	1/8	
34	x	38	x		#15 BWG	(a)
34	х	38	x		1/8	`.'
34	x	916	x	•	1/8	
1/2	x	14	x		⅓	

(a) Birmingham wire gage.

Note: Dimensions in the above table are for width, flanges and web for each item. In a number of instances, however, more than one pattern is available and producers' lists should be consulted.

Box channel:

11/2 316

Equal tees:

Note: The first item amended Feb. 3, 1944.

216	x	21/2	x	36, 51c, 1/4
214	x	214	x	1/4
2	x	2	• x	
134	x	134	x	⅓, ¾6
11/2	x	11/2	x	14, 3/16
11/4	x	11/4	x	14, 316, 18
11/8	x	11/8	x	38
1	x	1	x	31c, 38
78	x	78	x	1/8
1 78 34	x	34	X	%16,
_				6

Unequal tees:

Flange Width		Stem Depth		Thickness
21/2	х	12352	x	14. 31g
2	x	11/2	x	14, 316
11/2	X	11/4	<b>X</b> '	1/8

Note: Dimensions in above lists of equal tees and unequal tees are over-all measurements of flange and stem, and thickness of both flange and stem at outer ends, flange and stem to have the same thickness. Profiles as made by different mills may differ in detail and producers' lists should be consulted.

# PERMISSIBLE VARIATIONS FOR DIMENSIONS AND WORKMANSHIP

Permissible size variations applicable to this schedule shall be those set forth as Standard Permissible Variations for Dimensions and Workmanship in Section 8, Hot, Rolled Carbon-Steel Bars, of the American Iron and Steel Institute Manual, Revision June 1943. Modification of the prescribed tolerances is not permissible; except that for bars purchased on Army, Navy or Federal Specifications, the tolerances set forth in such specifications may be applied.

[F. R. Doc. 44-1685; Filed, February 3, 1944; 11:17 a. m.]

Part 3102—National Emergency Specifi-CATIONS FOR STEEL PRODUCTS

[Schedule 15 to Limitation Order L-211, Interpretation 1 as Amended Feb. 3, 1944]

The following amended interpretation is issued with respect to Schedule 15 of Limitation Order L-211:

- (a) The term "hot-rolled carbon steel bars" as used in the schedule does not include:
- (1) Carbon file steel bars, which are considered to be tool steel bars.
- (2) Wrought iron bars.
  (b) The restrictions of the schedule apply generally to production and delivery, not to use. For example, although carbon steel bars in the dimensions listed under the heading "Nut-Steel Flats" are chiefly used for the manufacture of nuts, the schedule does not prohibit the production or use for other purposes of sizes permitted under this category.

  (c) On the other hand, where a special
- quality or grade of steel is set forth in Table

dimensions listed under the headings "Round Edge Flat Spring Steel" and "Automotive Round Edge Leaf Spring Flats" are applicable only to spring steel. Round edge flats in grades other than spring steel may not be produced in these dimensions, but must be produced only in the dimensions listed under the heading "Round Edge Flats." However, the rule stated in paragraph (b) of this inter-pretation is still applicable; spring steel pur-chased in accordance with the schedule may be used by the buyer for purposes other than

the manufacture of springs.
(d) "Mill Edge" or "Strip Edge Flats" are not listed as such in this schedule but the dimensions listed under the heading "Square Edge Flats" also apply to "Mill Edge" or "Strip

(e) Attention is called to the note at the end of Table 1, relating to permissible variations. This provides that modification of the prescribed tolerances is not permissible. Hence, an order calling directly or indirectly for a narrower tolerance than is prescribed must not be produced or delivered. The only exception is with respect to flats for cold drawing, and this exception is set forth in

Issued this 3d day of February 1944. WAR PRODUCTION BOARD. By J. JOSEPH WHELAN, Recording Secretary.

the note following the list of permitted sizes

of flats in Table 1 of the schedule.

[F. R. Doc. 44-1686; Filed, February 3, 1944; 11:17 a. m.]

PART 3114-SIMPLIFICATION AND STANDARD-IZATION OF PORTABLE TOOLS, CHUCKING EQUIPMENT, MECHANIC'S HAND SERVICE Tools, Files, Hack and Band Saws, VISES, AND MACHINE TOOL ACCESSORIES

[Limitation Order L-216, Schedule V as Amended Feb. 3, 1944]

# FILES

§ 3114.6 Schedule V to Limitation Order L-216-(a) Definitions. For the purpose of this schedule, including the appendix:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of files.

- (3) "File" means any file or rasp including American Pattern, Swiss-pattern and straight and curved-tooth milled files and rasps, but excluding rotary files, finning burs and small burs as defined in Schedule IV of this order, and excluding ampoule scorers, surgical rasps, dental files and veterinarian rasps and files.
- (4) "Total quarterly production" means the total number of units of all types and sizes of files manufactured by a producer in any given quarter.
- (b) Limitations on manufacture and sale. On and after February 3, 1944, no person shall manufacture or sell any file of any size and type other than the sizes and types listed in Appendix A subject to the following provisions:
- (1) Any producer may manufacture and sell any size and type of file which is distinguished by some unusual feature of design or manufacture and is used

I, that type of steel may be furnished only in the dimensions listed. For example, the That the total quantity of much model. That the total quantity of such special files to be manufactured by any producer during any quarter shall not exceed five percent of such producer's average total quarterly production for the year 1942.

(2) In addition to the files specified in Appendix A any producer may manufacture for export to foreign countries (other than the Dominion of Canada) any of the types and sizes of files listed in Appendix B. Files listed in Appendix B shall only be sold to fill purchase orders placed by any procurement agency of the United States pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act) or purchase orders which have been approved by the Office of Foreign Economic Administration for export.

(3) The limitations contained in this paragraph (b) shall not be deemed to prohibit the completion and sale of any files for which the producer had material on hand on February 3, 1944, nor to prohibit the sale of any files from inventories on hand as of February 3, 1944.

(c) Tolerance permitted for file dimensions. The following tolerances are permitted in the width and thickness dimensions for finished files shown in the attached appendix:

(1) American pattern files and rasps. (i) Warding files plus or minus 1/32" in both width and thickness.

(ii) Other American pattern files up to and including 6" in length plus or minus  $1_0$ " in width and  $2_2$ " in thick-

(iii) Other American pattern files over 6" in length—plus or minus 16" in both width and thickness.

- (iv) Horse rasps and shoe rasps—plus or minus 1/8" in both width and thick-
- (2) Straight and curved-tooth milled files—plus or minus 1/10" in both width and thickness.
- (3) Swiss pattern files. (i) Three square, half-round and crossing files—plus or minus 16" in both width and thickness.
- (ii) Other Swiss pattern files up to and including 6" in length—plus or minus 132" in width and 144" in thickness.
- (iii) Other Swiss pattern files over 6" in length—plus or minus 1/32" in both width and thickness.
- (d) Limitation on steel sizes. On and after July 17, 1943, no producer shall purchase any steel for incorporation into a type and size of file with respect to which the attached appendix indicates that a specified steel size is to be used in such manufacture, other than the size of steel permitted in the appendix for such type and size of file, subject to standard mill tolerances.
- (e) Necessity for preference ratings. (1) No producer shall sell or deliver any metal cutting file except in accordance with the provisions of General Preference Order E-6, as amended from time to time.

(2) No producer shall sell or deliver any file other than a metal cutting file pursuant to any purchase order placed prior to July 17, 1943 unless such order bears a preference rating of A-9 or higher, nor pursuant to any purchase order placed subsequent to July 17, 1943 unless such order bears a preference rating of AA-5 or higher, or except pursuant to specific permission of the War Production Board.

Issued this 3d of February 1944.

WAR PRODUCTION BOARD,

By J. JOSEPH WHELAN,

Recording Secretary.

APPENDIX A

TABLE 1—AMERICAN PATTERN FILES

Mill Files 1

Mill Files							
,			Cuts—teeth per inch				
Length (inches)	Width (inches)	Thick- ness (inches)	Bas	tard	Smooth		
			Min.	Maz.	Min.	Max.	
4	7/6	;64	54 48 46 43 28 34 30 26 26 26	52 46	68 56 51 45 59	74 62 59 59 43	
10	1	1364	38	41		<u> </u>	
Mill Files—Blant   [Also known as Special Cross-cut files]							
6 7	56 4564 1316	16 16 16 1164	48 46 43 38	1			

1 Mill files shall be made from the following steel sizes.

Length of	Width of	Thickness
file	Steel	of Steel
(inches)	(inches)	(inches)
6 7 8 10 12 14 16	.430 .620 .715 .810 1.000 1.180 1.260 1.540	.081 .116 .134 .142 .167 .195 .225

		Squ	are Fil	les	<u> </u>		
•			Cut	s—tee	th per	inch	
Length (Inches)	'Width of Side (Inches)	Bas	tard	Secon	d Cut	Sm	coth
	(Inche)	Min.	Mas.	Min.	Max.	Min.	Max.
48 810=12 1214 1618	3/16	43 33 25 22 19 16 15 14	48 37 29 25 21 18 17 16	56 43 56 31 29 26	63 49 41 35 31 28	72 55 44 85 33	79 61 49 44 39 36
		Rot	und Fi	les <sup>2</sup>			
<u>4</u> 6	316	37 26 25 21 19	44 31	46 34	53 39	£8 46	65 51
8 10 12	1761 516 38	20 21 19 17	44 31 20 25 21 19	282323	32 28 26 27	39 35 32 50	43 33 34 37

<sup>2</sup>Bastard sizes 6-inch and larger and second cut sizes 12- and 14-inch are double cut. All other sizes are single cut. Half-Round Files 3

							Cu!	o—tect	ti per i	nch				
Y	Width	Thickness		Bast	tard			Eccin	d cut			Smo	otk	
Length (In.)	(Inches)	(Inches)	Pe	ek	F	at	Ea	ek	F	a <b>s</b>	E	ek	F	ist
•			Min.	Mes.	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.
4	716 1516 115 1710 1710	16	50230 1911 15	45888888917	8023899	45 55 52 52 53 53 53 53 53 53 53 53 53 53 53 53 53	ន <b>។</b> ខិត្តបាន	ជន្លងនេង	ដ#១១៩៧ដ	នទុមបានឧដ	60 44 60 84 83 83 83	73 53 43 37 31 32	55 50 44 59 24 31 29	73.50 43.54 54.52 54.52

Kerte	File:
-------	-------

		Thick	ences	East	tard	Scoor	d cut	Smo	oth
Length (Inches)	Width (Inercs)	Thich edge (Inches)	Thin edge (Incres)	Min.	Max.	Min.	Mex.	Min.	Nax.
4 6 8 10	1546 1710 1710	764 962 316 34	%2 %0 %10	47 44 85 85	55 45 52	12	88 89 44 59	82 66 54 43	6 B 6 4

<sup>3</sup> Flat sides are double cut. Second-out sizes 4- and 6-inch and all amouth sizes may be single or double cut on the back. All other double cut on back.

First Files 4

	Plat Fills						
			C	uts—tcet	h per inc	h	
Width (inches)	Thickness (unches)	Bac	tard	Secon	d cut	Smo	oth
		Min.	Mar.	Min.	Max.	Min.	Mat
716	764. 9.64. 1364. 164. 1764. 1865. 1865. 1865. 2364.	40 20 20 17 19 14 13	43352 1925 1935 1935 1935 1935 1935 1935 1935 193	8488888	ជាមានមាន	53 44 37 33 29 29	73 57 45 41 26 32 52
<u>'</u>	Hand Files	(					
15/0. 1 15/0. 1 15/0. 1 15/2.	964 3804 1964 1704 1974 1875	31 23 29 17 16 15	23 23 29 19 18 17	41 24 29 25 24	45 25 22 23 25	50 44 33 24 31	50 70 42 33 21
	Hand Fieldling	Files 4			·		
1316 136	1"ë4 1/24					23 23	40
	Werding Fil	les					<del></del>
716	\$40 \$04 \$62	50 41 24 23	23 45 37 31	(S 25 44 25	73 93 43 23	84 03 55 43	5: 5: 6: 4 4
	Piller Fele	3			,		
316e 3.5e 476e	762 1764	ន្តម្ភាពន	49 22 25 25 25 25	44 37 27	50 42 27	20 47 43	[ 5 4
	716	1316   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764   1764	Width (linches)	Width (linches)   Thickness   Besterd	Width (inches)   This area   Rectard   Second (inches)	Width (linches)   Parterd   Second cut	Width (inches)   Besterd   Second cut   Smooth (inches)   Min.   Max.   Min.   Max.   Min.

Note: This table amended Feb. 3, 1044.

4 Flat, Hand and Hand Finishing files shall be made from the following etcel sizes:

Length of file, inches	Wilth efeteel	Thirtmess of etecl
4	Inches	Inches 107 143 150 220 220 220 220 220 220 220 220 220 2

APPENDIX A—Continued 1—AMERICAN PATERN FILES—continued Pitsau Files	Cuts—teeth per inch	Thickness Back Flat	Min. Max. Min. Max.		Cant-Say Files	Cuts-teeth per inch	Thickness (inches) Back Sides	Min. Max. Min. Max.	1.3541. 44 44 45 44 48 44 48 44 48 44 48 44 48 48 44 48 48	(Great American)		2964 43 43 49 45 45 45 45 45 45 45 45 45 45 45 45 45	Aluminum Files	Cuts—teeth per inch		Thickness Fiat Back That	Min. Max. Min. Max. Min. Max.	964 16 18 16 18 16 '	1564 14 16 15 17 15 17 15 17 15 17 15 17 15 17 15 17 15 17 15 17 15 17 15 17 15 17 15 17 16 14 16 14 16 14 16 14 16 14 16 14 16 16 16 16 16 16 16 16 16 16 16 16 16	14 16 14 16 14 16 14 16 14 16 14	Foundry Files	156	1/32 15 IT 16 18 15
A TABER 1—AM		Length Width (inches)	•	8 910		. ,	Longth (inches) Width (inches)		6. 1752 8. 1176 10. 1976			10	7	-	778 6444	<del></del>		1. Frat "	15/6	1)50 11752	Norz: This table amended Feb. 3, 1944.	8 34 1346 552 10 1552 12 1552 1352 1352 1352 1352 1352 1	1/2 1/2/2
Appendix A—Continued Tabed 1—Ambrican Pattern Files—continued Three Square Files	Cuts—teeth per inch	Length, inches Width of side, inches Bastard Second-cut Smooth	Min. Max. Min. Max. Min. Max.	8 8 10.	Double-Ender Files		· 	233	8 0 0 1/22 10 10 10 10 10 10 10 10 10 10 10 10 10	Taper Piles	Tabers sincle ent Slim tapers Extra slim tanere Double extre elim tanere	Toeth per inch Toeth per inch Teeth per inch Teeth per inch	Width With Nax of side Min, Max, of side Min, Max, of side Min, Max, of side	In. In. In.	74 68 69 69 69 69 69 69 69 69 69 69 69 69 69	20 55 54 56 60 755 64 55 66 55 66 55 66 55 66 55 66 55 65 65	32 36	Band-Saw Files-Blunt	Regular Silm 11	Length (inches) Teeth per inch (inches) Teeth per inch	(Inches) Min. Max. (Inches) Min. Max.	S	•

Nore: This table amended Feb. 3, 1944.

2

Appendix A—Continued Table 1—Amenican pattenn files—continued

Addresoner A—Continued Table 1—American pattern viles—continued Wood Rasps Hay-Round—Baslard

l			<sub>E</sub> q	ŀ	********	   	E.	SSSSS LANDU	יגט	6	2222 21211			222	uy, 32					1,	un l	22	5E	}	22		ZH
		Flat	Rows Por inch			_		•										Filo Side		Teeth per Inch	Maximum				-		101
Outs		A	Teeth por row		44440			-80011			2651			o II	== 		Cuts			Teeth	Minimum		91		10		
		ч	Rows por inch		-252244	th		177 100 100 100 100 100 100 100 100 100		0	**************************************		:	222	22		ខ័		Omic	Rows per	men	<i>C</i> :	-2-				
		Back	Teeth per row		7-888-D	Half-Round—Smooth	0	**************************************	s-Second Cut	4	.0112	ns-Smooth	-	222	22	Plata Half File	*5	of Super		Teeth per	row	121	94	Silm Half Fil	- kg	Tanged Regular	ងជ
		Thickness (inches)			**************************************	Vood Rasps Half	162.	2 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	Cabinet Rasps-Second	3%	2222	Cabinet Rasps	- 	27.5	7. C.	Horse Rasps-Plain Half Fil		<del></del> _	Thickness			1,52	740	Norse Rasps-Slim Nall	310	Horse Rasps-Tanged	*2
		Width (mehes)			13% 13% 13% 13% 13% 13% 13%	- 14	2	**************************************	-  `	23.6.	10000	-	-	200	1950	-  `			Width	(Samour)		1952	18752		18352		11752
		/ Length (inches) W	-		88. 10. 12. 14.			8 8 10 12 14 14			12. 14.			600	12				Toneth (inches)		•	12.	14.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.		18,		12
	neh	#/ Flat	Max.	_	12228			17 19 16 17 14 16		Cute-teeth per Inch	Maximum	120	2			និត		Angle Lathe Hand Elles.		Smooth	Rous per	inch	30 833 833				
	Cuts-teeth per inch	_	Max	_	ន្ទន្ទន			157		Cute-tee	Minimum	22	13		8	នេះ		Fire Long at Files and		, ES	Teeth per	row	805				
•	Cuts	. Book			28 22 21 10	•		13			nes3				-			it Files and note 4 for Fir	ų	pa	Rows per	fach	333		**		
Half Round		Thick-	ches)'		952 752 952 1952		Lead Float Files—Italf Round	752 952 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1	iles-Flat		Thickness (Inches)	200 M	1,54	Long Angle Lathe-Flat	166.			int Lend Flor hown in foot	Fiat Wood Rasps	Doctord	Teeth per	row				•	
Brass FilesHalf Round	_	£1.		-	25.55 25.55 25.55 17.52		ead Float File		Lead Float Files—Flat !		<b>#</b> 8			Lono Anole				lry Files, F sel alzes as a	Flat 11°C		Thlekness (Inches)		22	22	523	i	
•		Width	(inches)		94. 1940 1940	Feb. 3, 1944.	4	196			Width (inches)	1366					- 200	i, Flat Found the game ste			Width (netics)			12.0			
		Longth	(inches)		0 8 8 10 12 12 12 12 136	Nork: This table amended Feb. 3, 1944.		8 10 12 13 13 14 15 15 16			Longth (Inches)	8	120-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-			Monoseprent Agrees persons 12		• Flat Aluminum Files, Flat Foundry Files, Flat Lead Float I'lles and Fint Long Angle Lattle Files shall be made from the same steel sizes as shown in footnote 4 for Filet Files and Hand Files.			Length (Inches)		8	1.0000000000000000000000000000000000000	10.000000000000000000000000000000000000		

APPENDIX A-Continued

# APPENDIX A—Continued TABLE 1—AMERICAN PATTERN FILES—continued

				TAP	BLE 1						FILES— -Round	-conti	inueć	1							TABLE 8—		ATXII Ialf I			sc	onti	uue	1
		ŀ			Ι.								Cu	ts						-			-			Cuts			
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Tengen, n	uciica	11.44	.,	_		inci	hes			Flat	t		Bac	ck		,	in	ch		_	8		x	ž	X	X	X	x X	
									Teeth per rov		Rows per inch	Tee per r		Rov per i	75 nch	M	in.	35	ſax.	_	5		XXX	XXXXX	X X X	X	X X X		X
0		34 31/32 11/16			74s 14 194					8 8 8	12 12 11		9		12 12 11		19 18 17			21 20 19	10		X	x	X	X X	x	X	
		<u> </u>			2	STRA	TGH3	- <u>-  </u>	ND CUR	VED	-T00TH	MILLI	ED FI	LES				!		-		Halj	Rou	nd R	ing	<del></del> 1	<u>-</u>	<del></del>	
	1				lades					_	ng Files		.		Cuts	—teet	h per	ine	h h	-	6		X	x	X	x	:::	X	****
Length, in	ches	Width	. incl	i les	T	hickr	iess,	- -	Width,	inch	es Th	icknes	is,	Regu	lar	Fi	ne.	SII	nootl	—   h			Squ	are					
	-					inch	es	- -				a iuchea		car						-	s	lzo	. ,	<u></u>		Cu	ts		
0		56 1346 136			1364 3164 1364				5564 1 1742		310 1564 2364				14 14 12 10 8		16 14 13 12			18 17 16 16	Length	Width of side	;	00	0	1	2	8	4
Flexible Rigid fi	e or rig	id (hal th tang	f-rou s for	nd si han	752. hell o		lf-rou	<u> </u>	mouldir followir	g). g ty			babbi	itt, fla		lity, l		val,		_ ]	8	564		XXXXX	xxxxx	XXXXXXX	X X X X X X X	x x x	X X X
T	ABLE	π <b>2—</b> ε	ıss	PAT	TERN	e En	crs		.		TABLE 3		ı azı		RN :	FILES					12	•310		. х	<u> </u>	X	<u> </u>	••••	<u> </u>
"X" as atcs file	usec may	i in t	he : nade	follo in	win the	ig t	able ze a	s in nd	odi- cut	-		<del></del>					T -	Cı	 1t3	-		T	hree &	Squar	e	<del></del> ,		—- <sub>1</sub>	<b></b> .
hown. Where liameter	dime	nsion	s fo	r W	iđth in	i, the	icki fol	nes:	sor			Ŀ	ength				-	_		 1	3 <u>.</u>	532 14		ХХ	x	x	x	X	X
ables, th	iese (	limen	sion	s ar	e to	be	the	opt	tion			<del></del>					-		<u> </u>		6 8	36 36		X X	кикик	****	XXX	X	X X
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	· I		Lunu	2.1160		Cuts	<u>.                                    </u>							Kn	ife			•					Metal	Saw	<del></del> -				
Size		Phick- ness				Cus	· · ·				Si	ize				(	Juts				3 4	532 14			X		X		X
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17 56	6 32	362 36 964	X	X X X	x x x	x x x	XXX	x x	x	3	36		564	x	×		×.	x	ĭ				Cros	sing					
0  1-	16	1164 1564 1764	X	X	X	x x	X	X X	x 	5 6	36 154 916 114 76	0	564 564 542 516	X	KKKK	X	XXXX.	X X	XXXX		Leng	:h				Cuts			
Note: T	bis ta	ble am	ende	d Fe	b. 3,	1944.	''		<del>'</del>	_		!		aper	Paux	1 1	!						00	0	1	2	3	4	6
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10 23	64	332 764	x	x	X	x	x x x x	x		_	1	lze Di		- 00	0	<u> </u>	Juts	8		6	8 10		X	XXXX	XXXXX	XXXX	XXX	xxxx	X 
0 47 2 53	64	3/32 3/64 5/32 3/82 15/64	KKKKKK	X	x x x	X X X	Î.	X		-		Diam	eter	00	-	1	2	-	4				Ware	ding	1	!!	!	!	
2  09	04	1/81	<u> </u>	x				x	<u> </u>	4 5		64 8 32		H	X	X	X	XXXX	X	X	3		x	x	x	x		x	Ī.,
	<del></del>	Nar	row	Pill	ar		<del>Γ</del> ι	· ·	<u> </u>	8. 10.	2	16 164		XXX	XXX	XXXX	X  .	X		x	6 8		XXX	XXXX	X X X	X X X	****	X X X	
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Appendix		-					1	AP. Table 5—SV	PENDIX A— FISS PATTE:				inued	Nove	- Ans	undle F	Appendi		14.	
TABLE 3—SWISS P.	LTTE: Ecual		FILE	s—c	onti	nued			Die Sin					11012			ican pat	-		
	cquar	my		Cuts			-	Cuts: 0, 1 and Length, 31/2.	-						м	ul Files-	<b>−2 R</b> oun	d Edjes	Bastard	
I ength				_			_		Round Ed	ge Jo	int:				T		1		Cnta	-Teeth
3	CO x	0 X X	.1 x x	2 X X	3	4 x	6	Length	0	0	* Ct	1	1 6	Lengt (inche	h 5)	Widt (inche		ilokness inches)	per Mini-	inch Maxi-
6	x	x	x.	X		x		46		x	::::			12		13ía	¾i		mam 34	37
	Crock	het							Сстис	:tina							(El Files	-Bluns	1	·
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10	Î	x	×	ž		x		Escaper	neut—er Szu	are I.	landles	Need!			3	101 FZe:	:—1 Row	ed Edze	Bastard	
0	Finis!	ing					_	Cuts:-0, 2, 4 a Length:-5}4	and 6—12 sh	ipes (	permit	ted	ļ	g		56	36		- 49	52 45
8				x x		x x	x x x	Straigh Cuts:—0, 2, 4 a Lengths:—4, 5	t Blode, Rom and 6—12 sho 14 and 6}{				,	8 10 12		13/16 1 13/16		H	43 33 34	52 45 41 37
-	<u> </u>	!	<u> </u>	1	!	1 1	_	Curred Cuts:-0, 2, 4 t	Blade, Roun								Square	Files		
	Eari	dle	1	1	1	ı ı	_	Lengths:—4, 5	32 and 636 Die Sinke	rs Ri	Llers		'					Teeth	per fiich	
3 4	X	X X	X	X				Cuts:-0, 2 and Length:-61/2	d 4—18 shape	z le	rmitte	1		Leng (inch		Width of Side (inches)	2	d Cu.	Sz	icoth
<u> </u>	Y Pip	x	x	x			<del></del>	Cuts:—0 and 2 Length:—7 to	Sileeramii 3—12 shapes ( 8.							(	Mini- mum			Maxi- mum
	<i>F1p</i> <sub>1</sub>	,,,,,,,	1	1	ī -	1 1	_	Pe	arallel and B					16		?i	_ 22	2	29	32
6	X	X	X	X			<u> </u>	Cuts:—00, 0 at Lengths:—As								· · · · · · · · · · · · · · · · · · ·	Round	Files		
	Check	<u> </u>	<u> </u>	<u>                                     </u>		1		Tension and C Cuts:—1 and 3 Lengths:—As	Special Par Compression 3—10 shapes required.			ne		16		3£	. 19	2	21	20
68	x	x	x	x				-		•	, Alli		PENDIX B-	FILES—		inued				
	Sitt	ing	<u> </u>	1	<u> </u>	1 .	<del></del>	·	·	1			Hand	Pues	-		Teeth p	ar Inch		<del></del>
4	I	x		_ x															•	
6	are E	x		. x			<del></del>	Length (i	inches)		Wi4i (inchi		Thickne (inches	м	Bast Ini-	Maxi-	Mini-	eut Maxi-	Sm Mini-	Maxi-
- Equ	1								فع					m	1m2	mum	mum	mum	mum	mum
Length	00	0	1	Cut	3	1	6	16		111	\$2 }\$2		2564 1352		42	45	22 22	60 24	69 29	75 32
	-		-	╢	╁╌	<u> </u>							Pillor	Fües					p .	
6	<u> </u>	X		X				12		- 13	ís	•••••	1352				23	32	35	40
	F	ork I	1	_	<u> </u>	<del></del>				1			Three Sp.	are Files	i	<u>.</u>	1	· · · · · ·		·
6	<u>- </u>	<u> </u>	<u> </u>	. x		<u> </u>		12		- 27	ś1				10	22	29	32	37	40
#1 cut on one side.		nch						l	Double E	nder	Fi!cs						TAPEE SE	GLE CU	:	<del> </del>
£3 cut on reverse side Lengths: 10 and 12. Screw He		ange	d an	d Pla	in			Length (inches)	Width of Si (inches)	- 1		eeth pe		Lc (in	ngth ches)		ith of Sid (inches)	1	Teeth pe	r inch Maximum
Length: 3		oil							···	_ <u> </u> .	Miniu	<del></del> }-	Maximum			_		-		
Lengths: 3½ to 5½ o	ver a t. Rig		nd L	eſt				6	350			(0)	C5	4}2 5		11/5: 3/5: 12/3:	2  2		13 50 50	60 53 53
Lengths, 3.		oach		•					Tope Taper							1	nd Saw I	Fi?eP		
Steel wire gauges 40 Length, 3.				e.				<del></del>	34	1		,a l					real addition		50	53
Length, 7.	Aug				•			4½	716			80000	យ ល ស <b>ស</b>	435		34		;	30	
Doctor Length, 14.	, Tan	ged a	md I i	Plain				8	2532			ສັ	÷ 43							

APPENDIX B-Continued AMERICAN PATTERN FILES--continued Pitsam Files

•			,	Testh 1	per inch	
Length (inches)	Width (inches)	Thickness (inches)	B	ack	Flat	sides
		i ;	Miñimum	Maximum	Minimum	Maximum'
4 4 1/3	516 1152 38	562	55 50 50	-60 -65 -85	55 50 50	, 60 55 55
		Cant-Saw File	3	<del>'</del>	<u>'</u>	<u>'</u>
4	2764	31c	60	65	. 60	65
		Sector Files			,	· · · · · · · · · · · · · · · · · · ·
6	17/22	1364	45	50	45	50

Itaobi Itage I nes				
Length (inches)	Width (inches)	Thickness (inches)	Teeth per inch	
			Side: *	
			Min- imum	Max- imum
4}2	3/2	3/32	75	80

Rubber Knife Files

[F. R. Doc. 44-1687; Filed, February 3, 1944; 11:17 a. m.]

PART 3293-CHEMICALS [Allocation Order M-30, as Amended Feb. 3, 1944]

# ETHYL ALCOHOL

3293.66 Allocation Order M-30— Definitions. (1) "Ethyl alcohol" means the product of that name, from whatever source derived. The term includes mixtures of ethyl alcohol and denaturants, including the product known as "proprietary solvent". The term does not include ethyl alcohol produced for beverage purposes or ethyl alcohol tax paid and withdrawn for beverage purposes.

Note: Subparagraphs (2), (3) and (4), formerly (3), (4) and (5) redesignated Feb. 3,

- (2) "Producer" means any person engaged in the production of ethyl alcohol and includes any importer and any person who has ethyl alcohol produced for him pursuant to toll agreement.
- (3) "Distributor" means any person who has purchased or purchases ethyl
- alcohol for purposes of resale.
  (4) "Supplier" means a producer or distributor.
- (b) General restrictions on deliveries and use. (1) No person shall accept delivery of ethyl alcohol from a supplier except in accordance with the procedure established by paragraphs (c) and (d) or except upon specific written authorization of the War Production Board issued on application made pursuant to paragraph (e).

(2) No supplier shall deliver any ethyl alcohol except in accordance with the provisions of paragraph (f) or except upon specific written authorization of the War Production Board, issued on application made by the supplier under paragraph (g).

(3) No supplier shall use any ethyl alcohol except upon specific written authorization of the War Production Board issued on application made by him under paragraph (e).

(c) Acceptance of certain deliveries of 7900 gallons or less per quarter. Any person may without specific written authorization of War Production Board accept delivery in any calendar quarter from all sources or not more than 7900 gallons of ethyl alcohol, subject to two conditions. The first condition is that he shall have furnished to each supplier from whom he obtains delivery a certificate substantially in the form set forth in Appendix C. The second condition is that the aggregate amount received (in no case in excess of 7900 gallons) must be within the following additional quantity limitations:

(1) Where the purpose for which delivery is requested is the manufacture of any of the following products, the quantity received in any calendar quarter shall not (without specific written authorization) exceed 100% of the quantity used for the same purpose in the corresponding calendar quarter of the 12-month period ended June 30, 1941:

Adhesives. Agricultural poisons. Brake fluids.

Cutting oils.

Drugs and pharmaceuticals (not including rubbing alcohol or products specifically listed in paragraphs (c) (3) or (c) (4)). Embalming fluids.

Food products (except candy glazes, pectin and vinegar).

Laboratory and experimental. Photographic materials (including photo en-

graving). Natural shellac or shellac substitute.

All other products not classified in paragraphs (c) (2) to (c) (6) inclusive.

(2) Where the purpose is the manufacture of any of the following products, the quantity received in any calendar quarter shall not (without specific written authorization) exceed 50% of the quantity used for the same purpose in the corresponding calendar quarter of the 12-month period ended June 30, 1941:

Candy glazes. Cleaning and polishing preparations, (including shoe and floor polishes). Deodorant sprays (non-body).

Tooth cleaning preparations.

Witch házel.

All toiletries and cosmetics including but not

limited to: Bay rum. Body deodorants.

Face and hand creams and lotions.

Hair and scalp preparations.

Perfume and perfume materials, tinetures and fixatives. Shampoos.

Tollet soaps (including shaving cream). Toilet waters.

However, any person who, during the period from July 1, 1942 to June 30, 1943 inclusive, held a permit issued by the Bureau of Internal Revenue and who purchased ethyl alcohol in quantities averaging not in excess of 162 gallons per calendar quarter during such period and who used such ethyl alcohol for the manufacture of toiletries and cosmetics, may continue to purchase and use not more than 162 gallons of ethyl alcohol per calendar quarter for the manufacture of toiletries and cosmetics.

For the purposes of this paragraph (c) (2) all toiletry and cosmetic uses of ethyl alcohol shall be considered as a whole, and the use during the base period of ethyl alcohol in the manufacture of a particular toiletry or cosmetic product may be used to support the acceptance of delivery for use in the manufacture of a different toiletry or cosmetic product. For example, ethyl alcohol used in the manufacture of toilet waters during the base period would support the receipt of ethyl alcohol for the manufacture of after-shave lotions containing ethyl alcohol.

(3) Where the purpose is the manufacture of one of the following products, the quantity received in any calendar quarter shall not (without specific written authorization) exceed 60% of the quantity used for the same purpose in the corresponding calendar quarter of the 12-month period ended June 30. 1941:

Antiseptics for oral uses (including Antiseptic Solution N. F.). Mouth washes.

(4) Where the purpose is the manufacture of any of the following products. there shall be no further limitation on the quantity received (beyond the requirement that only 7900 gallons may be accepted in a calendar quarter):

Note: "Nitrocellulose (dissolving and as a diluent)" deleted Feb. 3, 1944.

Acetaldehyde.

Acetic acid (except vinegar for food use). Basic medicinal chemicals not in compounded form.

Biological preparations. Butadiene.

Diethylamine. Dyes and intermediates (manufacture of). Ethyl acetate. Ethyl chloride. Other ethyl esters. Ethylene dibromide. Ethylene gas. Ethylene oxide Explosives (military and industrial). Flotation reagents Fulminate of mercury. Glycols. Hydrosulfites. Nitrocellulose (dehydration). Pectin. Plastics and synthetic resins (manufacture of). Styrene. Xanthates.

(5) Where the purpose is the manufacture of one of the following products, the quantity received in any calendar quarter shall not (without specific written authorization) exceed 110% of the quantity used for the same purpose in the corresponding calendar quarter of the 12-month period ended June 30, 1941:

Flavoring extracts. Vinegar.

- (6) Where the purpose is the manufacture of any rubbing alcohol compound or preparation, the quantity received in any calendar quarter shall not (without specific written authorization) exceed 15% of the quantity used for the same opurpose in the corresponding calendar quarter of the 12-month period ended June 30, 1941.
- (7) Where the purpose is not the manufacture of other products but resale as ethyl alcohol, specific written authorization of War Production Board shall in every case be obtained, whatever the quantity, except as provided in (d) (1).
- (d) Special exemptions for acceptance of small deliveries and acceptance of deliveries by hospitals and scientific institutions. (1) Any person, upon giving to each supplier from whom he obtains delivery a certificate substantially in the form set forth in Appendix D, may, without written authorization of War Production Board and without any limitation based on past use, accept small deliveries as specified in this paragraph. The specified maximum quantity of either (but not both) of the following two categories of ethyl alcohol may be, accepted from all sources: (i) 972 gallons, which may be comprised of proprietary solvent or completely denatured alcohol, or a portion of each, or, in the alternative (ii) 162 gallons which may be comprised of specially denatured or pure alcohol, or a portion of each. However, in computing the amount which may be so accepted, all other ethyl alcohol delivered or ordered for delivery in the same quarter pursuant to any of the provisions of this order, must be taken into account and only the difference between any amounts so delivered and ordered and either 972 gallons or 162 gallons, as the case may be, may be accepted pursuant to this paragraph. Moreover,

specially denatured and pure alcohol may not be accepted under this paragraph for use in the manufacture of rubbing alcohol compound or preparation or for use in the manufacture of toiletries and cosmetics.

(2) Any hospital or scientific institution holding a permit issued by the Bureau of Internal Revenue, permitting it to acquire undenatured alcohol tax free, may, without written authorization of War Production Board and without any limitation based on past use, accept delivery of such quantity of alcohol as it is permitted to acquire tax free by such permit.

Note: Paragraphs (e) through (l), former\_ ly (d) through (k), redesignated Feb. 3, 1944.

- (e) Acceptance of deliveries (and use by suppliers) upon specific authorization. Each person seeking specific authorization to accept delivery of ethyl alcohol during any calendar quarter, whether for his own consumption or resale (and each supplier requiring authorization to use ethyl alcohol in any calendar quarter) shall file application therefor on or before the 5th day of the last month of the preceding quarter. The application will be made on Form WPB-2945 (formerly PD-600) in the manner set forth in the general instructions appearing on that form, subject to the special instructions appearing in Appendix A to this order. If there is any inconsistency between the general and special instructions, the special instructions must be followed.
- (f) Special provisions governing deliveries by suppliers. (1) · A supplier may without specific authorization of the War Production Board deliver to any person, who has filed with him the appropriate certificate substantially in the form either as set forth in Appendix C or in Appendix D, the quantity of ethyl alcohol which such person is entitled to receive under one of the paragraphs (c) (1) to (c) (6), inclusive, or under paragraph (d) (1).
- (2) A supplier may, without such certificate and without specific authorization of the War Production Board, deliver to any hospital or scientific institution which holds a permit issued by the Bureau of Internal Revenue permitting it to acquire undenatured alcohol tax free, such quantity of alcohol as such hospital or scientific institution is permitted to acquire tax free by its permit.
- (3) A supplier must not deliver ethyl alcohol where he knows or has reason to believe that the certificate is false, but in the absence of such knowledge or reason to believe he may rely upon it.
- (4) If War Production Board issues written directions to suppliers reducing the quantities of ethyl alcohol which may be delivered pursuant to paragraph (f) (1), suppliers will rateably reduce all orders for ethyl alcohol from customers wishing it for the same class of use.
- (g) Deliveries by suppliers upon specific authorization. Each supplier requiring specific authorization to deliver

ethyl alcohol during any calendar quarter shall file application on or before the 15th day of the last month of the preceding quarter. The application will be made on Form WPB 2947 (formerly PD-602) in the manner set forth in the general instructions appearing on that form, subject to the special instructions appearing in Appendix B. If there is any inconsistency between the general and special instructions, the special instructions must be followed.

(h) Special authorizations and directions. (1) Authorizations and directions with respect to delivery to be made or accepted in each calendar quarter (and with respect to use by suppliers in each calendar quarter) will generally be issued by War Production Board prior to the beginning of such quarter, but War Production Board may at any time in its discretion and notwithstanding any of the provisions of this order issue directions

to any person with respect to:

(i) Use, delivery or acceptance of delivery of ethyl alcohol.

(ii) Production of ethyl alcohol, including raw materials which may be used.

(2) War Production Board may issue to suppliers and other persons, other and different instructions with respect to the preparation or filing of Form WPB 2947 (formerly PD-602) and Form WPB 2945 (formerly PD-600).

(i) Special restrictions; rubbing alcohol, anti-freeze, beverage use. (1) No person shall deliver ethyl alcohol or any compound or preparation containing ethyl alcohol for use as rubbing alcohol or for the manufacture of any rubbing alcohol compound or preparation: Provided, That this restriction shall not prevent deliveries to:

(i) A hospital or scientific institution holding a permit issued by the Bureau of Internal Revenue permitting it to receive undenatured alcohol tax free.

(ii) Licensed physicians, dentists and veterinarians.

(iii) The holders of written prescriptions or orders of licensed physicians, dentists and veterinarians.

(iv) A wholesale or retail druggist, for resale in accordance with this paragraph (i) (1) only.

(v) A manufacturer of any rubbing of alcohol compound or preparation or a packager or bottler of any such compound or preparation (in amounts not exceeding the amounts permitted by paragraph (c) (6) hereof), for resale in accordance with this paragraph (i) (1) only.

(2) The restrictions of this order shall govern delivery of ethyl alcohol to and acceptance of delivery of ethyl alcohol by any person for use in the manufacture of anti-freeze preparations, provided

(i) Any person may deliver or accept delivery of completed anti-freeze preparations containing ethyl alcohol without specific authorizations under this order; and

(ii) Nothing contained in this order shall be construed to permit the manufacture, delivery or acceptance of delivery of any anti-freeze preparation in violation of § 1100.1, Limitation Order L-51, as from time to time amended.

(3) No person shall deliver or accept delivery of ethyl alcohol or any compound or preparation containing ethyl alcohol for use, whether in its then form or after rectification or other treatment, for beverage purposes.

(j) Special provisions; inventories, unfilled orders. (1) Ethyl alcohol allocated for inventory shall not be used except as specifically authorized or directed in writing by War Production Board.

(2) Ethyl alcohol allocated to fill a specified order or class of orders shall, where and to the extent that such order or class of orders is for any reason not filled, revert to inventory as though originally allocated therefor.

(k) Transactions outside the United States. This order does not apply to deliveries of ethyl alcohol which are both made and received outside of the fortyeight states and the District of Columbia, or to the use of ethyl alcohol outside such states and District, but the import of ethyl alcohol shall be subject to all the provisions hereof.

(1) Miscellaneous provisions—(1) Applicability of regulations. This order and all transactions affected thereby are subject to all applicable regulations of War Production Board, as amended from

time to time.

(2) Forms. Forms WPB 2945 and WPB 2947, provided for in paragraphs (e) and (g) have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

- (3) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.
- (4) Communications to War Production Board. All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington 25, D. C.; Ref: M-30.

Issued this 3d day of February 1944.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

APPENDIX A-SPECIAL INSTRUCTIONS FOR CUS-TOMER'S FORM WPB 2945 (FORMERLY PD-600)

(1) Obtaining forms. Form WPB 2945 (formerly PD-600) may be obtained at local field offices of the War Production Board.

(2) Number of copies. Prepare an original and four copies. File the original and two copies with War Production Board, Chemicals Division, Washington 25, D. C., Ref: M-30, file one copy with each supplier with whom an order is placed, and retain the final copy for your files.

(3) Information at top of page. In the heading, under "Name of chemical," specify "Ethyl alcohol"; under "WPB Order No.," specify "M-30"; under "Indicate unit of measure," specify "Wine gallons." In space following heading "Name of supplier with whom this order is placed," state name of

usual supplier and also specify his shipping point, if known.

(4) In headings at top of Tables I, III, and IV, substitute "quarter" for "month" and specify particular quarter and year; for example, "third quarter, 1944."

(5) Proof. In columns 1, 11 and 19, specify proof, whether pure or denatured, and if denatured, the formula number.

(6) Primary product. In column 3, applicant will specify his primary product in terms of the following:

Acetaldehyde.

Acetic acid (except vinegar for food use). Adhesives.

Agricultural poisons.

Antiseptics for oral uses.

Basic medicinal chemicals not in compounded form.

Biological preparations.

Brake fluids.

Butadiene.

Candy glazes.

Cleaning and polishing preparations (specify).

Cutting oils.

Deodorant sprays (non-body).

Diethylamine.

Drugs and pharmaceuticals (other than rubbing alcohol and other products elsewhere in this paragraph specifically listed). Dyes and intermediates (manufacture of).

Embalming fluids.

Ethers.

Ethyl acetate.

Ethyl chloride.

Other ethyl esters. Ethylene dibromide.

Ethylene gas.

Ethylene oxide.

Explosives (specify whether military or in-

dustrial).

Flavoring extracts. Flotation reagents.

Food products (except candy glazes, pectin

and vinegar).

Fulminate of mercury.

Glyčols.

Hydrosulfites.

Laboratory and experimental. Mouth washes (other than antiseptics).

Nitrocellulose (dehydration). Nitrocellulose (dissolving and as a diluent). Pectin.

Photographic materials (including photo engraving).

Shellac, natural or substitute. Synthetic plastics and synthetic resins (manufacture of).

Rubbing alcohol compounds. Styrene.

Toiletries and cosmetics (specify).

Tooth cleaning preparations.

Vinegar.

Witch hazel.

Xanthates.

Other products (specify).

Resale (as ethyl alcohol)

Inventory (as ethyl alcohol).

(7) Product end use. In column 4, applicant will specify ultimate use of the product which he manufactures. (Where, for example, applicant's primary product called for in column 3 is "ethylene glycol," the ultimate use of product might be "aircraft coolant.") Applicant must also specify in each case whether his customer is Army, Navy, other government agency, Lend-Lease or commercial customer. Where Form WPB 2945 is application for ethyl alcohol for resale or inventory (in each case as ethyl alcohol), leave column 4 blank. If primary product called for in column 3 is under allocation pursuant to War Production Board order, indicate in column 4 "WPB allocation order number."

(8) In column 10 (Remarks) specify quantity of ethyl alcohol used by you in the manufacture of each primary product shown in column 3 in that calendar quarter of the 12month period ended June 30, 1941, which corresponds to the quarter for which delivery

is requested.
(9) Tables II, III and IV. Fill out completely Tables II, III and IV, except that Table IV need not be filled out for primary products under allocation. In Table II, substitute word "quarter" for "month" throughout. In Table III show all suppliers, including the supplier named on the face of the form, with whom orders have been placed, including orders against which deliveries may be made without specific authorization.

APPENDIX B-SPECIAL INSTRUCTIONS FOR SUF-PLIER'S FORM WPB 2947 (FORMERLY PD-602)

(1) Obtaining forms. Form WPB 2947 (formerly PD-602) may be obtained at local field offices of War Production Board.

(2) Number of copies. Prepare an original and three copies, file the original and two copies with War Production Board, Chemicals

copies with War Production Board, Chemicals Division, Washington 25, D. C., Ref: M-30, retaining the third copy for your files.

(3) Information at top of form. In heading under "Name of Material," specify "Ethyl alcohol"; leave grade blank; under "WPB Order No.," specify "M-30"; under "Indicate unit of measure," specify "Wing gallons."

(4) In heading "This schedule is for deliveries to be need during the month/marker

liveries to be made during the month/quarter ending \_\_\_\_\_, 194\_\_," strike out word "month" and insert the quarter and year to

which the application relates.
(5) Listing of customers. In column 1 list the name of each customer from whom you have received a Form WPB 2945 (formerly PD-600) respecting a delivery in the applicable quarter. Do not list names of customers who have not filed with you Form PD-600. If it is necessary to use more than one sheet to list the customers, number each sheet in order and show on the last sheet total orders for customers whose Form WPB 2945 shows that they propose to accept more than 7,900 gallons in the calendar quarter and the total orders from customers whose Form WPB 2945 shows that they propose to receive not more than 7,900 gallons.

(6) Primary product and end use. It is not necessary to show primary product or end use with respect to a customer who files Form WPB 2945 (formerly PD-600). Instead, in column 1-a, opposite the name of each

such customer, enter "WPB 2945."
(7) Other orders to be lumped according to use. In column 1, the supplier need not list names of customers to whom he pro-poses to make delivery in the applicable quarter, pursuant to paragraph (1) (1) of this order, but will instead show the total quantity of ethyl alcohol for which he has received orders for delivery in such quarter under each of the paragraphs (c) (1), (c) (2), (c) (3), (c) (4), (c) (5), (d) (6) and (d) (1). To do so, he will list in columns 1 and 1-a, for example, "Total quantity ordered for delivery under paragraph (c) (1)," and will list in column 4 the total quantity represented by the orders placed pursuant to such paragraph.

(8) Proof. In column 7 (remarks), specify proof, whether pure or denatured, and if denatured, the formula number with respect to all ethyl alcohol for which customer has filed WPB 2945. Do not show this informa-tion respecting orders for which WPB 2945 has not been filed and which are lumped under (7) above.

(9) Use by producers. Each producer who has filed application on Form WPB 2945 specifying himself as his supplier shall list his own name as customer on Form WPB

(10) Table II, Each producer will report production, deliveries and stocks as required by Table II, columns 9 to 16, inclusive. Distributors will fill out only columns 10, 12

APPENDIX C-CUSTOMER'S CIRTIFICATE ON CER-TAIN DELIVERIES OF 7,900 GALLONS OR LESS (SEE PARAGRAPHS (C) (1) TO '(C) (6), IN-CLUSIVE, AND (F) (1))

Note: The second alternate form deleted Feb. 3, 1944.

The undersigned hereby certifies to the War Production Board and to his supplier:

That the \_\_\_\_\_ gallons of ethyl alcohol hereby ordered for delivery in the \_\_\_\_\_ calendar quarter, 194\_ [insert "second, 1944;" "third, 1944;" etc.] will be used for a class of use within paragraphs (c) (1), (c) (2), (c) (3), (c) (4), (c) (5), (c) (6) [strike out inapplicable paragraph numbers]; that the quantity used by the undersigned (in such class of use in the corresponding quarter of the 12 month period ended June 30, 1941, was \_\_\_\_ gallons, and that the amount ordered does not, taken together with all other ethyl alcohol delivered or ordered for delivery in such quarter, exceed \_\_ cent of the quantity used in such class of use in the corresponding quarter) or (in the manufacture of tolletries and cosmetics prior to July 1, 1943, did not exceed 162 gallons per calendar quarter) [strike out inapplicable clause in parentheses]

> Date Name of Purchaser

Вy . Duly Authorized Official

Title INSTRUCTIONS FOR CUSTOMER'S CERTIFICATE

(1) Prepare one copy for each supplier with whom an order is placed and one copy for your files. Wherever possible file certifi-cate with supplier not later than the 5th day of the last mont of the quarter preceding the quarter in which you wish to receive delivery. The certificate may be endorsed on the purchase order or be a separate paper.
Do not file a copy with War Production Board.
(2) The certificate shall be signed by the purchaser, or an authorized official of the

purchaser, either manually or as provided in Priorities Regulation No. 7.

APPENDIX D-CUSTOMER'S CERTIFICATES ON CER-TAIN SMALL DELIVERIES (SEE PARAGRAPHS (D) (1) AND (F) (1))

Note: Appendix D added Feb. 3, 1944.

The undersigned hereby certifies to the War Production Board and to his supplier: that the ethyl alcohol hereby ordered for delivery in the \_\_\_\_\_\_ calendar quarter (insert "second, 1944"; "third, 1944"; etc.) calendar quarter does not, taken together with all other ethyl alcohol of the applicable types delivered or attonor of the approach types derived or delivery in such quarter, exceed the amount authorized pursuant to the provisions of paragraph (d) (1) of allocation Order M-30 and, if specially denatured alcohol or pure alcohol, will not be used for the manufacture of rubbing alcohol compound or preparation or for the manufacture of-toiletries and cosmetics.

Date

Name of purchaser

Duly Authorized Official Title

[F. R. Doc. 44-1702; Filed, February 3, 1944; 11:21 a. m.]

Chapter XI-Office of Price Administration

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3]

SUGAR RATIONING REGULATIONS

Rationing Order 3 and Amendments 1 through 112,1 thereto are revised and re-

18 F.R. 14820, 15368, 15489, 15524, 15594, 15662, 16695, 16346, 16605, 16997, 16848; 9 F.R. 106, 574, 901.

issued as Revised Ration Order 3, to read as follows:

Pursuant to the authority vested in me by Directive No. 1 of the War Production Board issued January 24, 1942, and by Supplementary Directive No. 1E of the War Production Board issued April 21, 1942, It is hereby ordered, That:

SCOPE OF REVISED RATION CREEK 3

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1407.144b Sale or transfer of industrial user establishment. 1407.144c Where and how a transferee regis-

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1407.243 Schedule C: Designation of ration periods and weight value of stamps valid therein.

1407.244 Schedule D: Counties which have had a substantial increase in population and the percentage for each such county.

AUTHORITY: §§ 1407.1 to 1407.275, issued under Pub. Law 421, 77th Cong., Executive Order 9125, 7 FR. 2719; Executive Order 9280, 7 FR. 10179; W. P. B. Dir. No. 1 and Supp. Dir. No. 1E, 7 FR. 562, 2965; Food Dir. No. 3. 8 F.R. 2005.

# SCOPE OF REVISED RATION ORDER 3

§ 1407.1 Territorial limitation. This order shall apply within the forty-eight states of the United States and within the District of Columbia.

# DEFINITIONS

§ 1407.21 Meaning of terms used in this order. (a) Whenever the provisions of this order impose or confer duties, obligations, rights or privileges upon an establishment or registering unit, such duties, obligations, rights and privileges shall be considered as being conferred or imposed upon the person owning such establishment or registering unit with respect thereto. Whenever reference is made to an act done or to be done, or to property owned, by an establishment or a registering unit, it shall be deemed to refer to an act done or to be done, or to property owned, by the person owning such estáblishment or unit in its behalf.

(b) Words importing the masculine gender include the feminine and neuter genders; and words importing the singular include the plural and vice versa.

(c) Definitions:

(1) "Adult" means any married person, or any person who is at least eighteen (18) years of age.

(2). "The Board" means a local rationing board, or the local rationing board with which the consumer or registering unit is registered, as the context indicates.

(3) "Book" or "war ration book" means a war ration book which contains or contained stamps designated by the Office of Price Administration as authorization to take delivery of sugar.

(4) "Certificate" means a sugar purchase certificate (OPA Form R-306) or a food ration certificate (OPA Form R-1201) issued for the delivery of sugar.

(5) "Consumer" means any individual who receives sugar for personal use.

(6) "Delivery" means the transfer of physical possession or the transfer of a document of title.

(7) "Establishment" means the business or operation subject to this order, conducted at or from a particular location.

(8) "Family unit" means a group of two or more individuals, consisting of all persons customarily living together in the same household (including persons temporarily absent therefrom) who are related by blood, marriage, or adoption.

(9) "Industrial user" means any "person" who has an "industrial user establishment". "Industrial user establishment" means any establishment where a person uses sugar in producing, manufacturing, or processing any product other than sugar if the product is not to be used in the preparation or service of food or beverages which the establishment or its owner serves to consumers. It also includes any establishment at which sugar is used for experimental, educational, testing, or demonstration purposes, whether or not a product resulting from such uses is to be used in the preparation or service of foods or beverages which the establishment or its owner serves to consumers.

(10) "Institutional use", "institutional user", "institutional user establishment" and "opening inventory" have the respective meanings given to such terms by General Ration Order 52; Provided, That, for the purpose of this order, the term "institutional user establishment" shall be deemed to include any place where an institutional use of sugar is authorized by General Ration Order 5.

(11) "Person" means any individual. partnership, corporation, association, or other organized group of persons, and includes the United States, or any agency thereof, and the States or any political subdivisions or agencies thereof.

(12) "Primary distributor" means any person who manufactures sugar or the agent of any such person; or any person who, for the purposes of sale, takes delivery from the Collector of Customs of sugar brought to the continental United States from a place, other than Canada or Mexico, not subject to this order, or the agent of any such person. The term "agent" shall be deemed to in-

clude a broker, factor, commission merchant, or a person who takes title but actually performs functions commonly performed by agents, brokers, factors, or commission merchants,

(13) "Ration period" means the space of time designated by the Office of Price Administration for which a Stamp shall

be valid.

(14) "Registering unit" means the "wholesaler" or "retailer" establish-ment or group of establishments selected by the owner thereof to be treated as a single unit for the purpose of this order and which is so registered by him.

(15) "Retailer" means an establishment which makes over 50 percent of its sales of all merchandise to consumers.

(16) "Shipping unit" means the quantity of sugar customarily contained in the carload or truckload by which a registering unit takes delivery of sugar from a primary distributor.

(17) "Stamp" means a War Ration Stamp originally contained in a War Ration Book and designated by the Office of Price Administration as an authorization to take delivery of sugar. All references to stamps 1 to 16, inclusive, are to stamp's contained in War Ration Book One.

(18) "Sale at retail" means a sale to a consumer.

(19) "Sale at wholesale" means a sale to a person other than a consumer.

(20) "Sugar" means any saccharine product derived from sugar beets or sugarcane, which is not to be further refined or otherwise improved in quality; except sugar in liquid form which contains non-sugar solids (excluding any foreign substance that may have been added) equal to more than six per centum of the total soluble solids, and except also sirup of cane juice produced from sugarcane grown in continental United States. "Sugar", within the meaning of this definition, shall include, but shall not be limited to, granulated sugar, lump sugar, cube sugar, powdered sugar, brown sugar, sugar in the form of blocks, cones, or molded shapes, confectioners' sugar, centrifugal sugar, clarified sugar, turbinado sugar, plantation white sugar, muscovado sugar, refiners' soft sugar, invert sugar, invert sugar mush, raw sugar, liquid sugar, sirups, and sugar mixtures. Liquid sugar shall be computed on the basis of the weight of sugar solids.
(21) "Weight value" means the amount

of sugar authorized to be delivered by a

stamp, certificate or check.
(22) "Wholesaler" means an establishment which makes over 50 percent of its sales of all merchandise to persons other than consumers. The term "wholesaler" does not include a primary The term distributor.

(23) "Account" means a sugar ration bank account carried by a bank, in which the bank keeps a record of deposits of stamps, certificates and checks and of transfers of sugar ration credits.

(24) "Bank" means a bank or bank branch which participates in ration banking by opening an account in accordance with General Ration Order No. 3.3

(25) "Check" means a sugar ration check, in the form prescribed by the

<sup>28</sup> F.R. 10002, 11676, 11480, 11479, 12483, 12557, 12403, 12744, 13920, 14472, 15488.

<sup>8</sup> F.R. 865, 2858, 4627, 9456, 12611,

Office of Price Administration, drawn by a depositor against his account and made payable to the account of a named person

(26) "Depositor" means a person who has a ration bank account. A person shall be deemed a separate depositor with respect to each of his accounts, but shall be deemed a depositor only with respect to establishments served by such accounts.

(27) "District office" means a district office of the Office of Price Administration

(28) "Issue" when used with respect to a check, means the delivery of a completed check to the person to whose account the check is made payable.

(29) "Ration credits" means the credits in an account reflecting deposits of stamps certificates or checks:

stamps, certificates or checks.
(30) "Coupon" means a sugar allowance coupon on OPA Form No. R-324,
OPA Form No. R-325, OPA Form No. R-326, or OPA Form No. R-327.

(31) "Ration evidences" or "evidences" means certificates, checks, coupons, and stamps.

#### ADMINISTRATION AND PERSONNEL

§ 1407.41 Personnel. (a) This order shall be administered by the Office of Price Administration through its Local Rationing Administrators, and its Local Rationing Boards, and such other administrative personnel as it may designate.

(b) The persons referred to in paragraph (a) hereof may be assisted during the registration periods by the chief school officials of the several states, the city and county superintendents of schools, and by the persons who may be appointed to act as School Site Administrators, Registrars, and Trade Rationing Advisors. The School Site Administrators shall be appointed by the city or county school superintendents and the Registrars shall be appointed by the School Site Administrators. The Trade Rationing Advisors shall be appointed by the Local Rationing Boards. The persons enumerated in this paragraph shall serve without compensation and shall be under the supervision of the persons enumerated in paragraph (a) and of the persons who appointed them.

(c) No person participating in the administration of this order shall act officially in connection with any matter arising under this order wherein, by reason of business interests or relationship by blood or marriage, he is unable to act without bias.

§ 1407.42 Powers and duties. The persons appointed to administer this order or to assist therein shall have such powers and duties as are provided in this order and any subsequent orders is sued by the Office of Price Administration.

§ 1407.43 Juris diction of Board; transfers. (a) The jurisdiction of each local rationing board shall extend to every consumer, registering unit and establishment registered or required to be registered with it.

(b) If a consumer does not reside in the area assigned to the Board with which he is registered, a written application may be filed with the Board having jurisdiction over the area in which the consumer resides for the transfer to it of his registration file. Such application may be made by the consumer or by his authorized agent. The Board with which such application is filed, after ascertaining that the consumer is residing within the area assigned to it, shall notify the Board with which the consumer is registered. The latter Board shall thereupon transfer the registration file of the consumer to the Board to which such application has been made.

(c) If the owner of a registering unit moves his principal business office from the area in which the registering unit is registered, such owner, at his option, may apply in writing to the Board having jurisdiction over the area to which his principal business office has been moved, for the transfer to it of the registration file of the registering unit.

(d) If a registering unit is not registered with the Board having jurisdiction over the area in which is located the office from which the operation of the registering unit is immediately controlled, the owner at his option, may apply to such Board in writing for the transfer to it of the registration file of the registering unit.

(e) Whenever an application for the transfer of the registration file of a registering unit is made in accordance with the foregoing provisions the Board to which such application is made shall notify the Board with which the registering unit is registered of the fact that such application has been made. Thereupon the latter Board shall transmit the registration file of the registering unit to the Board to which such application was made, and it shall retain a record of the name and address of the registering unit, the name of the owner, and of the address of his principal business office. and of the designation of the Board to which the registration file is transmitted.

(f) Upon the transfer of the registration file of a consumer or a registering unit in accordance with the foregoing provisions the consumer or registering unit shall thereafter be deemed to be registered with the Board to which such file is transmitted.

§ 1407.44 Records confidential. All records of the Office of Price Administration and of the Board relating to sugar rationing shall be confidential and shall be subject to inspection, removal, or other disposition only as provided herein or as the Office of Price Administration may from time to time order. The records shall at all times be available for inspection and use by the Department of Justice of the United States in or out of court. Any person filing a record, or his agent, may examine the record so filed by him if to do so does not interfere with the administration of this order. Records may be subpoensed in any criminal proceeding in which the defendant is the person named in said records or is a person alleged to be in collusion with the person named therein. Records may be subpoenaed in any other action or proceeding if the subpoena is served at least ten (10) days before the return date and if the Price Administrator deems the production of the records in answer to such subpoena is in the interest of national defense and security. Notwithstanding any of the foregoing there may be posted at the office of each Board a list of all consumers who have made application for and received permission to obtain amounts of sugar in addition to sugar authorized by Stamps, except that the names of Intelligence Officers of the armed forces of the United States, or members of law enforcement agencies of the United States, or of any State or political subdivision thereof, whose work requires secrecy shall not be included in any such list.

#### CONSULIEES

§ 1407.61 Prohibited deliveries. After April 27, 1942, no person may deliver sugar to any consumer and no consumer may accept delivery of sugar from any person except upon giving up stamps, certificates or coupons covering the amount of sugar delivered. However, a consumer who has obtained sugar by the use of his stamps, may give it to another consumer, without receiving stamps, certificates or coupons. He may similarly give such sugar to a religious, charitable, civic, or municipal organization as his agent, to give such sugar to another consumer without receiving stamps, coupons or certificates. (A transaction is not a gift if any charge is made.)

§ 1407.69 Issuance of books to certain consumers who have surrendered their books. (a) A consumer whose book has been surrendered pursuant to §§ 1407.73 or 1407.74 shall, by application to the Board in the way provided by General Ration Order 14, be entitled to receive a book containing, however, no "sugar stamps." If such book has been issued, it shall be surrendered to the Board as a condition precedent to the return of the consumer's book pursuant to §§ 1407.73 or 1407.74.

(b) Before returning a book which has been surrendered to the Board, the Board shall detach therefrom stamps applicable to expired ration periods and all "stamps" required to be detached by any other ration order of the Office of Price Administration.

§ 1407.71 Home processing and preserving for use. (a) A person registered as a consumer may obtain sugar for the purpose of producing processed foods from fresh fruits for use, in accordance with sections 26.2, 26.5, and 26.6 of Revised Ration Order 13 of for making the gifts permitted by those sections).

(b) Sugar for the purpose of producing processed foods (other than jams, jellies, preserves, or fruit butters) from freeh fruits, for such use, may be obtained and used at the rate of not more than one pound of sugar per four quarts (or eight pounds) of finished processed foods. Sugar for the purpose of making jams, jellies, preserves, or fruit butters may be obtained and used by a consumer in an amount not to exceed five pounds.

<sup>48</sup> F.R. 14211.

<sup>9</sup> P.R. 3, 104, 695, 574, 848, 765.

However, the total amount of sugar which may be obtained by a consumer for both these purposes, for the period from March 1, 1943, to February 29, 1944, inclusive, shall not exceed 25 pounds.

(c) Notwithstanding anything to the contrary contained in this order, Stamps Nos. 15 and 16 each authorizes a consumer to obtain sugar on or before October 31, 1943, to be used solely for the purposes stated in paragraphs (a) and (b) of this section in an amount not to. exceed five pounds. However, in no event shall a consumer use either such stamp to obtain sugar in an amount which, when added to the amount of sugar otherwise obtained by such consumer for such purposes between March 1, 1943, and February 29, 1944, inclusive, would exceed 25 pounds. The use of such stamps by a consumer to obtain sugar shall constitute a representation by the consumer to the Office of Price Administration that he is entitled to obtain such sugar under the provisions

of this section. (d) Applications for sugar needed for the purposes covered by this section, in addition to that which may be obtained on or before October 31, 1943, under paragraph (c) of this section, shall be made, in writing, to the Board for the place where he lives, by one adult member of a family unit for all members of the unit (or, if there is no adult member, by the oldest member or by a responsible person) or by a consumer not a member of a family unit for himself (or, if a minor, not self-supporting, by his parent or guardian or by a responsible adult). The applicant shall either in person or by mail present to the Board the War Ration Books One issued to the persons on whose behalf the application is made. In addition, the applicant shall in his application state (1) the number of quarts (or pounds) of processed foods (other than jams, jellies, preserves, or fruit butters), the applicant, and the members of the family unit of which he is a member for whom application is made, has produced since March 1, 1943, or intends to produce from fresh fruits, for use; (2) the amount of sugar obtained pursuant to this section used or to be used in the making of jams, jellies, pre-serves, and fruit butters; (3) that he has used or will use any sugar obtained pursuant to paragraph (c) of this section in accordance with this section; and (4) such other information as the Board may require. The Board shall determine the total requirements of sugar of the applicant, for the period from March 1, 1943, to February 29, 1944, for the purposes covered by this section, and shall, to the extent permitted under the provisions of paragraph (b) of this section, issue coupons or a certificate to the consumer in weight value equal to such requirements less ten pounds (since the consumer will be able to obtain ten pounds of sugar for the purposes covered by this section by the use of stamps 15 and 16, as set forth in paragraph (c) of this section). The weight value of the coupons or certificate issued by the Board, however, shall in no event exceed 15 pounds. However, if the Board acts on the application after October 31, 1943, the Board shall determine the total requirements of sugar of the applicant, for the period from March 1, 1943, to February 29, 1944, for the purposes covered by this section, and shall, to the extent permitted under the provisions of paragraph (b) of this section, issue coupons or a certificate to the consumer in weight value equal to such requirements, less five pounds for each stamp 15 or 16 that is not attached to the consumer's War Ration Book One. The weight value of the coupons or certificates issued, however, shall in no event exceed 25 pounds. The Board shall note on the cover of the War Ration Book One of each person for whom application is made the weight value of the coupons or certificate issued to such person under this paragraph and the date of issuance. However, a person who does not have a War Ration Book One may submit, instead of such a book, his War Ration Book Four together with a statement in writing that he does not have a War Ration Book One. He shall also submit in writing a statement of the amount of sugar he has already obtained under paragraphs (c) and (d) of this section. If the Board finds that the statements are true, it shall issue coupons or a certificate to the consumer in weight value equal to his total requirements less any amounts which the consumer has already obtained under paragraphs (c) and (d) of this section. The weight value of the coupons or certificate issued, however, shall in no event exceed 25 pounds less any amounts which the consumer has already obtained under paragraphs (c) and (d). The Board shall note on the cover of the War Ration Book Four of each such person for whom application is made, the weight value of the coupons or certificate issued to such person under this paragraph and the date of issuance.

(e) Notwithstanding anything to the contrary contained in this section a consumer whose total requirements of sugar for the purposes covered by this section are from one to four pounds, inclusive, or from six to nine pounds, inclusive, shall apply to the Board pursuant to paragraph (d) of this section. If the total requirements of the applicant, determined by the Board, are from one to four pounds, inclusive, the Board shall detach from the book of the applicant Stamps Nos. 15 and 16; if they are from six to nine pounds, inclusive, the Board shall so detach Stamp No. 15 or 16. The Board shall issue coupons or a certificate for the amount of such requirements less the weight value of any such stamp not so detached: Such issuance shall be noted on the cover of the book, in accordance with paragraph (d) of this section. This paragraph shall not apply to applications acted on by the Board after October 31, 1943.

(f) Sugar obtained pursuant to this section shall be used only in the quantities and for the purposes permitted by this section and the processed foods produced therewith shall be used only as permitted by sections 26.2, 26.5, and 26.6 of Revised Ration Order 13.

§ 1407.71a Home processing for sale, (a) The Board may permit a person registered as a consumer to obtain sugar to be used for the purpose of producing from fresh fruits home processed foods (other than jams, jellies, preserves, or fruit butter) which he intends to transfer for points in accordance with section 26.3 of Revised Ration Order 13. Such sugar may be obtained at the rate of not more than one pound of sugar per four quarts (or eight pounds) of finished home processed foods. However, the total amount of sugar obtained for such purposes, for the period from March 1, 1943 to February 29, 1944, inclusive, shall not exceed 250 pounds and no more than one such allowance shall be granted to a family unit.

(b) Applications for sugar in accordance with this section shall be made on OPA Form R-315. The applicant shall state (1) the number of quarts (or pounds) of home processed foods he intends to produce from fresh fruits; (2) the amount of sugar applied for; (3) the address at which the processing will be done; (4) the type of facilities to be used; (5) whether any member of the family unit of which he is a member has received an allowance under this section; and (6) such other information as the Board may require.

(c) The Board shall grant the application to the extent permitted under tho provisions of this section and shall issue a certificate in weight value equal to the amount of sugar allowed.

(d) The applicant shall make the reports and keep the records required of him by Revised Ration Order 13.

(e) Sugar obtained pursuant to this section shall be used only in the quantities, during the period, and for the pur-poses for which it was allowed and tho home processed foods produced with such sugar shall be delivered, sold, or transferred by the applicant only in accordance with the provisions of Revised Ration Order 13.

§ 1407.72 Consumers may use Sugar Stamp No. 40 to get sugar for home processing and preserving for use. Sugar Stamp No. 40 in War Ration Book Four authorizes a consumer to obtain 5 pounds of sugar, before March 1, 1945, to be used solely for the purpose of producing processed foods from fresh fruits for use, in accordance with sections 26.2, 26.5 and 26.6 of Revised Ration Order 13 (or for making the gifts permitted by those sections).

§ 1407.73 Consumer handicapped by transportation difficulties. (a) A registered consumer to whom a War Ration Book has been issued who, because of transportation difficulties, finds it a hardship to take delivery of sugar at the times and in the amounts specified in § 1407.243, may apply for a certificate authorizing him to take delivery of a quantity of sugar not in excess of fifteen (15) pounds. The application therefor shall be made to the Board on OPA Form

No. R-315 by the consumer personally, by an adult member of his family unit, by an authorized agent, or by any other person authorized to register for him. The applicant may apply by mail or in person. The Board, in its discretion, may grant the application: Provided, That the amount allowed such consumer shall not exceed fifteen (15) pounds of sugar. Before issuing a certificate in such case, the Board shall detach from the War Ration Book of the consumer stamps having a weight value equal to the amount for which the certificate is issued; if the amount so allowed is greater than the weight value of the unexpired stamps in his War Ration Book to which a weight value has been assigned in § 1407.243 the War Ration Book shall be surrendered to the Board and held until stamps may be detached having a weight value equal to such amount.

§ 1407.74 Growers of sugarcane and sugar beets. A consumer who has delivered sugarcane or sugar beets produced by him to a primary distributor for processing into sugar may apply for a certificate authorizing him to take delivery from that primary distributor of a quantity of sugar not in excess of 25 pounds for himself and 25 pounds for each member of his family unit. The application therefor shall be-made to the Board upon OPA Form No. R-315 by the consumer personally or by an adult member of his family unit or by an authorized agent. The Board, in a proper case, shall grant the application: Provided, That such consumer shall surrender to the Board his War Ration Book and the War Ration Books of the members of his family unit for whom such application is made.

§ 1407.75 Illness of consumer. person who, by reason of his illness, requires amounts of sugar in addition to that otherwise allowed him may apply for a certificate authorizing him to take delivery of such additional amounts. The application therefor shall be made to the Board upon OPA Form No. R-315 by the consumer personally or by an adult member of his family unit, or by an authorized agent, and shall be accompanied by a doctor's certificate explaining why additional sugar is needed and stating the amount required. The Board in a proper case shall grant the applica-

# INSTITUTIONAL AND INDUSTRIAL USERS

§ 1407.81 Re-registration between December 15, 1943, and January 5, 1944-(a) Who must re-register. Every industrial user who had registered his industrial user establishment under this order before December 15, 1943, must re-register that establishment by filing OPA Form R-1200 at any time between December 15, 1943, and January 5, 1944, inclusive, in accordance with General Ration Order 16.6

(b) How owner of industrial user establishments re-registers them governs their operation. If an industrial user has more than one industrial user establishment and they are registered separately (on OPA Form R-1200), each of those establishments must be treated and operated separately for all the purposes of this order (including computation of allotments and base period use), just as though the establishments were. owned by different persons, and the industrial user is considered as a different industrial user as to each such establishment. If an industrial user has registered his establishments together, they are treated as a unit, for all the purposes of this order. However, deliverles of sugar between such establishments may not be made except in accordance with § 1407.168 and the orders issued by the Director of the Food Rationing Division of the Office of Price Administration under that section.

(c) Industrial user must keep copy of registration. Each industrial user must keep a copy of his registration on OPA Form R-1200. If he has more than one establishment which he registers together, the copy must be kept at his principal business office; otherwise it must be kept at the establishment it

§ 1407.82 Prohibited deliveries. (a) No person may deliver sugar to any industrial or institutional user and no industrial or institutional user may accept delivery of sugar from any person unless such person receives from the industrial or institutional user evidences covering the amount of sugar delivered. However, any sugar which was included, or required to be included, in the opening inventory of an institutional user establishment under General Ration Order 5 may be received without giving up evidences.

(b) Deliveries of sugar from one institutional user establishment to another of the same owner are covered by General Ration Order 5.

§ 1407.86 Industrial user allotments-(a) General. To enable an industrial user to get and use sugar at his industrial user establishment, he is given an allotment for each use or product for which he has established a base-period use in accordance with General Ration Order 16. Allotments are given for fixed periods called allotment periods. The allotment periods are the following quarterly periods:

- (1) First quarter: January to March, in-
- clusive;
  (2) Second quarter: April to June, inclusive;
- (3) Third quarter: July to September, inclusive;
- (4) Fourth quarter: October to December,

(b) Application for allotments. An industrial user's registration on OPA Form R-1200 is treated as an application for an allotment for his industrial user establishment for the quarterly period beginning January 1, 1944. Application for any other allotment period must be made, in person or by mail, to the Board with which his establishment is registered. No particular form need be used for such application. The application, however, must be in writing and must be

made not more than fifteen days before, nor more than five days after, the beginning of the period. However, the Board may permit an application to be made at any time before an allotment period under such circumstances as the Washington Office of the Office of Price Administration may direct. The Board, in its discretion, may also permit an application to be made at any time within the allotment period, but if it is made more than five days after the beginning of the period, the industrial user's allotment shall be reduced by an amount which bears the same proportion to the allotment as the number of days which have elapsed from the start of the period bears to the total number of days in the period.

(c) Amount of allotment. The amount of an industrial user's allotment is determined on the basis of his use of sugar at his industrial user establishment during the quarter in the base period (1941) corresponding to the allotment period. (General Ration Order 16 describes the way in which base-period use for each quarter in the base period is deter-mined.) The amount of sugar used by him during the quarter for which he has established a base-period use is multiplied by the percentage or percentages fixed in § 1407.242, Schedule B, for that use or class of products and the numbers which result are added, and the total is his allotment, stated in pounds, for that use or class.

§ 1407.86a Increases in allotments based on increases in population—(a) The amount of the increases. An industrial user who in 1941 delivered to a county listed in § 1407.244, Schedule D, products for which he may obtain an allotment may, for each allotment period, obtain an increase in the allotment he is entitled to get under § 1407.86. The amount of the increase is determined as follows:

(1) Determine the amount of sugar which he used in products he delivered in 1941 to the listed county.

(2) Determine the amount of sugar which he used in all products he delivered in 1941.

(3) Divide the number obtained in (1)

by the number obtained in (2).

(4) Multiply the number obtained in (3) by the percentage shown for that county for such allotment period in § 1407.244, Schedule D. (The result is the percentage by which the industrial user's allotment is increased.)

(5) If he made deliveries to more than one listed county, add together the percentage increases in allotment for all such counties. (This is the total percentage by which his allotment is increased.)

(6) Multiply the total percentage increase (the figure obtained in (4), if he made deliveries to one listed county, or (5), if he made deliveries to more than one listed county) by the industrial user's allotment as determined under § 1407.86 for the allotment period for each use or class of product. (This is the amount of the increase in allotment to

<sup>68</sup> F.R. 16840.

which the industrial user is entitled, under this section, for that allotment

period.)

(b) How to determine what to include as deliveries. Only final deliveries, directly or by independent carrier, are covered by this section. Deliveries to the following are not included: the Army, Navy, Marine Corps, or Coast Guard of the United States; Army Exchanges, Army Exchange Service, Post Exchanges of the Marine Corps, Ships Service Activities of the Navy or Coast Guard; other activities designated by the Army, Navy, Marine Corps, or Coast Guard; Food Distribution Administration, and Ships Service Stores of the Training Organization of the War Shipping Administration, the American National Red Cross, with respect to its acquisitions of food for consumption by members of the armed forces of the United States outside the United States, a naval vessel or naval activity of the United Nations, the Navy, Army and Air Force Institutes (of Great Britain), or for use as ships' or canteen stores in any ocean-going vessel of the United States or of any of the United Nations, or on any neutral vessel, designated by the War Shipping Administration, which is engaged in the transpórtation of cargo or passengers in foreign, coastal, or intercoastal trade. In determining 1941 deliveries to a listed county, only the following deliveries are to be included: (1) deliveries by the industrial user in 1941 of products in which he used sugar to all places in such county not specified in paragraph (c), and (2) deliveries of such products in 1941, with or without further processing by persons and from places specified in paragraph (c), wherever located, to all places in such county not specified in that paragraph.

(c) Places referred to in paragraph (b). The places referred to in the previous paragraph are the following:

(1) An industrial user establishment of the industrial user, or

(2) A plant or warehouse of the industrial user, or

(3) A plant or warehouse of a person having an exclusive contract to distribute the industrial user's products (with or without processing) in more

than one county, or

(4) A plant or warehouse of a person owning more than 50 per cent of the stock of the industrial user corporation, or a plant or warehouse of a corporation or other organization more than 50 per cent of the stock of which is owned by that person or by the industrial user.

(d) How application is made. An industrial user's application for the increase in allotment allowed by this section must be made, in person or by mail, to the Board with which he is registered. The first application for such increase must be made on OPA Form R-315. If an amendment to this order changes the amount of the increase in allotment to which an industrial user is entitled under this section, he must apply on OPA Form R-315 for the increase in allotment as so changed for the first period to which the amendment applies. Applications under

this section must state the facts and show the computations required by paragraph (a). Except for these two cases, no particular form need be used in applying for the increase permitted by this section.

(e) When application must be made. Application for the increase for each period must be made at the same time that application for the regular allotment for that period is made and shall be subject to the provisions of § 1407.86 (b) with respect to late application.

(f) Records. An industrial user who applies for an increase in allotment under this section must keep, at his office, available for inspection by the Office of Price Administration, the journals, ledgers, and other records and reports which he used in obtaining or furnishing the information on which such increase was based.

§ 1407.86b Temporary increases in allotments due to military maneuvers. Whenever the Director of the Food Rationing Division of the Office of Price Administration finds that military maneuvers of the armed forces of the United States will cause temporary abnormal demands for sugar-containing products in the area in which such maneuvers are to be held, he may, upon defining such area, authorize such temporary increases in the allotments of industrial users delivering such products within the affected area as he shall deem necessary.

§ 1407.86c Increased allotments for certain industrial users for the period beginning January 1, 1944. (a) An industrial user may apply to the Board for an increase in his allotment for the period beginning January 1, 1944, for the production of the products listed in Class 14 of § 1407.92 (a).

(b) Application must be made prior to March 1, 1944, on OPA Form R-315. The Board shall grant the increase requested in the application. However, the increase in allotment granted to the industrial user must not exceed 25 per cent of the amount of his sugar base for the first quarterly period for the products listed in Class 14 of § 1407.92 (a).

§ 1407.87 Provisional allowances for producing certain products. (a) An industrial user who needs sugar to produce any of the products listed in Tables I, II, IV, V, VII and IX of § 1407.241, Schedule A, may get a provisional allowance of sugar in an amount determined by multiplying the number of units of the product which he estimates he will produce during the quarterly period for which the application is being made, by the amount of sugar which is permitted in § 1407.241, Schedule A, as the maximum amount per unit of the product.

(b) An industrial user who needs sugar to produce cooked beans (canned, bottled, frozen, or dehydrated) may get a provisional allowance of sugar in an amount determined by multiplying the number of units of dried beans which he estimates he will use during the quarterly period for which the application

is being made, by the amount of sugar which is permitted in § 1407.241, Schedule A, Table VIII, as the maximum amount per unit of dried beans used.

(c) Only an industrial user who has properly registered on OPA Form R-1200 may apply to the Board for a provisional allowance under this section. He must apply on OPA Form R-314. The application must be signed by the industrial user or by an authorized agent. The application may be made in person or by mail.

§ 1407.87a Provisional allowance for manufacturing condensed milk in containers of over one gallon. (a) An industrial user may apply, in any month, for a provisional allowance to manufacture during the following month condensed milk to be packaged in containers holding more than one gallon.

(b) Application must be made in duplicate on OPA Form R-315 and must show:

(1) The plant capacity of his industrial user establishment.

(2) The amount of milk the industrial user will receive during the month for which the provisional allowance is

requested, and

(3) The amount of such milk which cannot be processed into non-sugar-containing products other than evaporated milk, or into condensed milk to be packaged by him in containers holding one gallon or less. The industrial user shall send the original of the application to the Office of Price Administration, Washington, D. C., and shall file a duplicate with the Board with which he is registered.

(c) The Washington Office of the Office of Price Administration may grant such provisional allowance in an amount which it considers necessary to prevent the spoilage of milk, on such conditions

as it may require.

§ 1407.87b Provisional allowance for feeding bees. (a) An industrial user who needs sugar for feeding bees may get a provisional allowance of sugar for that purpose in an amount determined under Table VI of Schedule A, § 1407.241.

(b) Application for all or part of such a provisional allowance may be made at any time during a calendar year. It must be made on OPA Form R-315.

(c) Any advance which an industrial user got during 1942 on his future provisional allowances for feeding bees must be deducted from the amount of his 1943 provisional allowance for that purpose. If the amount of the advance was more than 10 pounds per colony, the excess must be deducted from the industrial user's 1944 provisional allowance for feeding bees.

(d) An industrial user who gets a provisional allowance for feeding bees, may, in each calendar year, get an additional provisional allowance for that purpose if additional sugar is necessary to prevent the loss of his bees. Application for the additional provisional allowance must be made to the Board on OPA Form R-315 and must state:

(1) The amount of the additional provisional allowance needed:

(2) The number of colonies of bees for which the additional provisional allowance is needed;

(3) That the industrial user has used his full provisional allowance for the calendar year for feeding bees; and

(4) That the additional sugar applied for is necessary to prevent the loss of the industrial user's bees.

The application must also contain the certification of the local United States Department of Agriculture War Board that the additional sugar applied for is necessary to prevent the loss of the industrial user's bees. If the Board finds that the facts stated in the application are true, it will grant the application. The additional provisional allowance granted to any industrial user under this paragraph must not exceed 15 pounds for each colony of bees during any calendar year.

- § 1407.88 Reports of provisional allowance uses. (a) On or before application for a provisional allowance an industrial user who uses sugar in packing or processing any of the products listed in Table II or IX of Schedule A, § 1407 .-241, must file with the Board a written report showing: (1) the total number of gallons of each fruit juice packed in 1941; (2) the total number of cases, by sizes, of each other product packed during 1941; (3) the total amount of sugar used with each; (4) in the case of each fruit, the total number of cases processed in terms of cases of 24/2½'s on the basis of the conversion table set forth in Table III of Schedule A; (5) in the case of tomato catsup and chili sauce, the total number of cases processed in terms of cases of 6/10's (glass) on the basis of the conversion table set forth in Table X; and (6) the average amounts of sugar used per case on the converted bases.
- (b) On or before application for a provisional allowance an industrial user who uses sugar in packing or processing pickled or cured fish, shellfish, or poultry products must file with the Board a written report showing: (1) the amount of each such product processed during 1941; (2) the total amount of sugar used in each; and (3) the average amount of sugar used per hundred-weight (unprocessed).
- (c) On or before application for a provisional allowance an industrial user using sugar in the production of cooked beans (canned, bottled, frozen, or dehydrated) must file with the Board a written report showing: (1) the amount of cooked beans produced by him during 1941; (2) the total amount of sugar used by him in such cooked beans in 1941; and (3) the average amount of sugar used per 100 pounds of dried beans processed in 1941.
- (d) An industrial user who uses sugar in any month for feeding bees or for packing or processing any of the products listed in §1407.241, Schedule A (other than jams, jellies, preserves, marmalades, or fruit butters (listed in Table VII) or

cooked beans (Table VIII)), must, on or before the 15th day of the following month, file with the Board a written report of the use of sugar for each of such products during the past month. The report must show the number of units by sizes of each product packed or processed (and the number of bee colonies fed by weeks) and the amount of sugar used. In the case of products listed in Tables I, II, and IX of Schedule A, § 1407.241, except fruit juices, there must be included as a separate item the number of cases of each product packed or processed in terms of cases of 24/2's, 24/21/2's, and 6/10's (glass), respectively, on the basis of the conversion factors set forth in Tables III and X of Schedule A. In the case of fruit juices the amount packed or processed must be given in terms of gal-

- (e) An industrial user who uses sugar in any month for producing products listed in Table VII must on or before the 15th day of the following month file with the Board a written report showing:

  (1) the number of pounds of each product produced by him during the past month; (2) the amount of sugar used; and (3) the type of fruit, fruit juices (or tomatoes) used in producing such products.
- (f) An industrial user who uses sugar in any month for producing cooked beans (canned, bottled, frozen, or dehydrated) must, on or before the 15th day of the following month file with the Board a written report showing: (1) the amount of sugar used in producing such cooked beans during the past month and (2) the amount in pounds of dried beans he used.
- (g) An industrial user who in 1941 used dextrose or corn syrup in packing a product for which he is entitled to get a provisional allowance and who, prior to December 15, 1943, filed the reports required by paragraphs (a), (b), and (c) must, prior to his next application for a provisional allowance, amend those reports to include his use of dextrose and corn syrup on the basis of the conversion factors set forth in § 1407.89 (c).
- (h) On or before application for a provisional allowance, an industrial user who uses sugar in the production of jams, jelly, preserves, or marmalade not made with fruit, fruit juice, or tomatoes, must file with the Board a written report showing: (1) the amount of each such product produced by him during 1941; (2) the total amount of sugar used by him in each such product in 1941; and (3) the average amount of sugar used per pound of each such product produced by him in 1941.
- § 1407.88a Industrial users must keep records. Each industrial user must keep for two years, at his office, records showing by months the amounts of sugar received by him, the amount of sugar used for each product and use listed in § 1407.241, Schedule A, and § 1407.242, Schedule B, and the amount of each product processed or produced.
- § 1407.89 Use of provisional allowance. (a) No industrial user may use more sugar in any packing season for

packing or processing any product listed in Table I, II, or IX of Schedule A, § 1407.241, than the amount determined by multiplying the number of units of such product actually packed in such season by the allowance per unit of such product specified in Schedule A.

(b) No industrial user may use more sugar for packing or otherwise processing any unit of any product listed in Table IV, V or VII of Schedule A than the amount specified therein as the allowance per unit of such product. No industrial user may use more sugar for producing cooked beans than the allowance specified in Table VIII of § 1407.241 per 100 pounds of dried beans used.

(c) In determining the quantity of sugar used for the packing or processing of any product listed in § 1407.241, Schedule A there shall be included all dextrose and corn syrup used for such product on the basis of 1.1 pounds of dextrose or 1.2 pounds of corn syrup as the equivalent of 1 pound of sugar.

§ 1407.90 Amount for which certificate is to be issued. A certificate shall be issued to the industrial user, after proper application, for the total of the provisional allowance and the allotment or allotments applied for, less any adjustments required to be made by this order and less any excess inventory.

§ 1407.91 Adjustments. (a) In issuing a certificate to an industrial user, the amount of his "excess inventory" must be deducted from the amount for which he may receive a certificate.

(b) "Excess inventory" includes:

(1) The amount by which his "present inventory" (sugar which he had on April 28, 1942, or which was stored for him or in transit to him on that date) exceeds the total of all his prior allotments and provisional allowances.

(2) All sugar (other than sugar which was included in his present inventory) received without giving up evidences.

- (3) Sugar which an industrial user used (other than sugar which was included in his present inventory) after April 28, 1942, and prior to registration under this order.
- (4) The amount by which a certificate, received as a result of an earlier omission or mistake made in his application or by the Board or other office of the Office of Price Administration, exceeded the amount which the industrial user was entitled to receive.
- (5) Any part of a provisional allowance obtained for a preceding period which was not used for the purposes for which the provisional allowance was made.

(6) The portion unused, on January 1, 1944, of any allotment obtained by the industrial user, as the owner of a "registering unit" (as defined in this order on December 14, 1943), for a purpose or product for which a provisional allowance may be obtained on such date.

(7) Any other sugar which the industrial user, as the owner of a "registering unit" (as defined in this order on December 14, 1943), was required under this section on December 14, 1943, to deduct

from the amount of the certificate to be issued on the next application for the "registering unit".

- (8) Any other amount charged as excess inventory as a result of action taken by the Office of Price Administration.
- § 1407.92 Use of allotments on and after January 1, 1944. (a) On and after January 1, 1944, except as may be permitted by the Washington Office of the Office of Price Administration, an industrial user who obtains an allotment under this order may use sugar allotted to him only for the use or for the production of the product on which his base period use was established, or for a use or for the production of a product included in the same class, according to the following classes:
  - Bread and other bakery products.
     Baking mixes, including batters.
- 3. Breakfast cereals; and cereal paste products such as spaghetti and macaroni.

4. Ice cream; ices; sherbets; frozen custards; and mixes used for these purposes.

5. Condensed milk in containers of one gallon or less; cheese; other dairy products not included in other items; frozen eggs; and sugared egg volks.

- ared egg yolks.
  6. Bottled beverages (alcoholic and non-alcoholic); flavoring and coloring extracts; fountain syrups; drink mixes; brandied fruits; maraschino cherries; fountain fruits; pickled fruits and vegetables; relishes.
- 7. Mayonnaise and salad dressing. 8. Products fried in fat (except bakery products) such as nuts, potato chips.
- Candy; chocolate; cocoa; chewing gum.
   Sandwiches.
- 11. Dehydrated and dried soup and soup mixes.
- 12. Canned and bottled foods (not included in other items); table syrups.

  13. Experimental, educational, demonstra-
- 13. Experimental, educational, demonstration, and testing purposes.
- 14. Pharmaceuticals (internal); allergy foods; vitamin oils; cough drops.
  - 15. Pharmaceuticals (external).16. All other classes: Food.
  - 17. All other classes: Non-food.
- (b) No industrial user may use more sugar in any allotment period for any purpose or use for which allotments may be obtained than his allotment for that period plus any unused part of his allotments for earlier periods. Sugar used under an allotment before the beginning of the period for which it was granted shall, for the purposes of this paragraph be considered to have been used in the period for which it was granted.
- (c) On and after January 5, 1944, an industrial user may not use sugar for any use or purpose unless he has registered his industrial user establishment on OPA Form R-1200.
- § 1407.93 Use of sugar prior to January 1, 1944. Prior to January 1, 1944, an industrial user may use sugar only in the way permitted by this order on December 14, 1943.
- § 1407.93a Ration banking by industrial users. (a) An industrial user may open an account for his establishment. If he has more than one establishment and they are registered together, he may, at his option, open a separate account for each establishment or for any group of such establishments. However, if an account is opened for any such estab-

lishment, all his other establishments which are registered with it must be served by an account or accounts.

(b) Each account shall be opened in the name of the owner, who shall designate the establishment or establishments to be served. All accounts shall be opened in accordance with General Ration Order No. 3A.7

(c) An industrial user whose establishments are registered together may transfer ration\_credits from one of his "industrial user" accounts to another by the issuance of a check without the delivery of sugar.

§ 1407.94. Changes in industrial user accounts as a result of re-registration on OPA Form R-1200. (a) Any industrial user who has more than one establishment and re-registers those establishments on OPA Form R-1200 in a way different from the way in which they were previously registered on OPA Form R-310 (by registering two or more establishments together when they were previously registered separately or by registering them separately when they were previously registered together) must make the appropriate changes in the designation of the establishments served by any ration bank accounts which he has opened. He must also close any account that is no longer needed.

(b) If an industrial user wishes to change the number of establishments which are served by an account and it is necessary that he use some or all of the credits in that account for an establishment that will no longer be served by the account, he may, on or before January 15, 1944, issue the necessary checks to withdraw such credits from the account. Such checks may be deposited in any account serving the establishment for which he wishes to use the credits, or, if he has no account for such establishment, he may use the checks to obtain sugar for that establishment.

(c) Any industrial user who closes an account under this section may (after notifying the district office in the way provided in General Ration Order 3A) on or before January 15, 1944, issue to the board a check for the balance in such account (minus outstanding checks) and receive in exchange a certificate of equal amount.

§ 1407.95 Institutional users. An institutional user shall get allotments of sugar and use sugar only as provided in General Ration Order 5.

# RETAILERS AND WHOLESALERS

§ 1407.101 Registering unit. As used in §§ 1407.102–1407.112, such registering unit refers to the retailer or wholesaler or

establishments which are included within such registering unit.

§ 1407.102 Prohibited deliveries. On and after April 28, 1942, notwithstanding the terms of any contract, agreement, or commitment, regardless of when made. no person shall make delivery of sugar to any registering unit and no registering unit shall accept delivery of sugar from any person except upon the surrender to such person by the registering unit, pursuant to this order, of certificates or stamps having a total weight value equal to the quantity of sugar so delivered; except that any sugar which at the time of registration has been included in present inventory pursuant to § 1407,104, may be received without the surrender of cer-tificates or stamps.

§ 1407.103 Registration and application: Eligibility. (a) Registration and application for certificates shall be made on April 28 or 29, 1942, for each registering unit upon OPA Form No. R-305 (Registration of Retailers and Wholesalers), at a registration site designated for the area in which the principal business office of the owner is located: Provided, That in order to be eligible for registration all of the component establishments selling at retail must have made deliveries of sugar at any time during the period from January 1, 1941. to April 20, 1942, or have commenced operations subsequent to April 20, 1942, and that component establishments selling at wholesale must have handled sugar at any time during the period from January 1, 1941, to December 1, 1941. Retail establishments which did not handle sugar during the period from January 1, 1941, to April 20, 1942, or which commenced operations subsequent to April 28, 1942, and wholesale establishments which did not make deliveries of sugar during the period from January 1, 1941, to December 1, 1941, may petition for registration pursuant to the provisions of § 1407.163 of this order.

(b) The Form shall be presented for filing, and signed in the presence of a Registrar, by the owner, a partner (if the owner is a partnership), an officer-(if the owner is a corporation, association, or similar organization), or manager of the owner. The Registrar in whose presence the Form is signed shall witness the signature and certify to the execution thereof.

(c) If the registering unit is composed of more than one establishment there shall be attached to the Registration Form a list of the establishments included, with the address of each: Provided, however, That a registering unit composed of establishments located on mobile conveyances, including vessels, need not list such mobile conveyances.

(d) The Registrar shall also insert on the Form the designation of the Local Rationing Board having jurisdiction over the registration site and at the close of the registration period the completed Form shall be filed with such Board.

§ 1407.104 Present inventory. The present inventory of a registering unit is the aggregate of all sugar in the pos-

<sup>&</sup>lt;sup>7</sup>8 F.R. 1130, 1449, 1963, 3520, 4627, 5843, 11669, 13738.

<sup>8</sup> "Retailer" means an establishment which

makes over 50 percent of its sales of all merchandise to consumers.

o"Wholesaler" means an establishment which makes over 50 percent of its sales of all merchandise to persons other than consumers, exclusive of sales made by a primary distributor. The term "wholesaler" does not include a primary distributor.

session of or intended to be used by, the registering unit, to which, at the time of registration, the owner of the registering unit has title or holds documents of title, or which was in transit or stored for delivery to the registering unit and out of the possession of the vendor of the registering unit prior to April 28, 1942. The owner shall be deemed to have title to. sugar regardless of the fact that it may have been mortgaged, pledged, or otherwise used as security in a credit transaction, or that its use may have been prohibited by any order of the War Production Board. Every person who owns one or more registering units must include all sugar to which he has title (except sugar held for personal use and sugar in the possession of his vendor) in the present inventories of such registering units allocating such sugar among those of his registering units as he selects.

§ 1407.105 Allowable inventory. (a) A registering unit is permitted to obtain a working inventory of sugar which shall be known as the allowable inventory.

(b) The amount of the allowable inventory for a registering unit registering as a retailer is the quantity equal to one pound for each dollar of gross sales of all meats, groceries, fruits, vegetables, and similar products made during the week ending April 25, 1942 (or, if the component establishment began operations after April 20, 1942, the estimated sales for the first complete calendar week of operations), or one-quarter of the - sugar delivered to and accepted by the registering unit during the month of November 1941, whichever is smaller: Provided, That if the component estab-lishment was not in operation during the full month of November 1941, or if the information concerning the quantity delivered to and accepted by the registering unit during November 1941 cannot be ascertained, the allowable inventory shall be computed solely on the basis of the aforementioned gross sales.

(c) The allowable inventory of a registering unit registered as a wholesaler is the quantity of sugar equal to the total obtained by taking the quotient arrived at by dividing the amount of sugar delivered to the registering unit in 1941 by twice the number of months it made deliveries of sugar during 1941 and adding thereto the quantity of sugar equal to the shipping unit by which the registering unit customarily took delivery of sugar on or about December 1, 1941.

(d) A registering unit may apply for a temporary increase in its allowable inventory in an amount not to exceed fifty percent of the allowable inventory permitted such registering unit pursuant to paragraph (b) or (c). If it is registered as retailer, it may also apply for a temporary increase not to exceed fifty percent of any permanent increase in its allowable inventory authorized by the Office of Price Administration. Application for the increase shall be made by the registering unit to the Board on OPA Form No. R-315. The Board shall issue a certificate to the registering unit in

weight value equal to the increase applied for if it is not in excess of the amount permitted pursuant to this paragraph; Provided, however, That if the registering unit has not surrendered stamps or certificates to the Board for cancellation in weight value equal to its excess inventory, as described in § 1407.107, and in weight value equal to any temporary increase in its allowable inventory previously authorized by the Office of Price Administration, the Board shall grant the application and reduce the excess inventory and any previously authorized temporary increase, and, if the increase granted pursuant to this paragraph exceeds the weight value of such stamps and certificates required to be surrendered a certificate shall be issued to the registering unit in weight value equal to the difference. Increases granted pursuant to this paragraph may be cancelled by the Office of Price Administration. If such increases are cancelled, registering units to which they have been granted shall, before accepting any deliveries of sugar, surrender to the Board for cancellation stamps or certificates in weight Thirty value equal to such increases. days notice of any such cancellation will be given.

(e) A registering unit may apply for a temporary increase in its allowable inventory, in addition to the temporary increase it may obtain pursuant to paragraph (d) of this section, in an amount equal to the temporary increase permitted such registering unit under paragraph (d) of this section. Application for the increase shall be made by the registering unit to the Board on OPA Form No. R-315. The Board shall issue a certificate to the registering unit in weight value equal to the increase applied for if it is not in excess of the amount permitted pursuant to this paragraph: Provided, however, That if the registering unit has not surrendered stamps or certificates to the Board for cancellation in total weight value equal to its excess inventory as described in § 1407.107, and in weight value of any temporary increase in its allowable inventory previously authorized by the Office of Price Administration, except those temporary increases authorized pursuant to paragraph (d) of this section, the Board shall grant the application and reduce the excess inventory and any previously authorized temporary increases, except those temporary increases authorized pursuant to paragraph (d) of this section, the Board shall grant the application and reduce the excess inventory and any previously authorized temporary increases, except those temporary increases authorized pursuant to paragraph (d) of this section, and, if the increase granted pursuant to this paragraph exceeds the weight value of the stamps and certificates required to be surrendered, a certificate shall be issued to the registering unit in weight value equal to the difference. Any increase granted under this paragraph may be cancelled by the Office of Price Administration. If such increase is cancelled.

the registering unit to which it has been granted shall, before accepting any deliveries of sugar, surrender to the Board for cancellation stamps or certificates in weight value equal to such increase. Thirty days notice of any such cancellation will be given.

§ 1407.106 Issuance of certificates at registration. If the present inventory of the registering unit is less than the allowable inventory, a certificate shall be issued by the Registrar to the registering unit in the amount applied for; in no event, however, shall the amount applied for be greater than the difference between the allowable inventory and the present inventory. If application is made for a certificate in weight value less than the maximum for which such application may be made, the allowable inventory shall be reduced by the amount by which the maximum weight value for which application could be made exceeded the weight value of the certificate applied for.

§ 1407.107 Excess inventory of a registering unit. The amount by which the present inventory exceeds the allowable inventory shall be known as the "excess inventory of a registering unit." The registration of a registering unit which has an excess inventory shall be completed, but such registering unit shall not be entitled to any certificates at the time of registration. Before it may accept any deliveries of sugar such registering unit must surrender to the Board for cancellation stamps or certificates in weight value equal to the amount of the excess inventory.

§ 1407.108 Deliveries to registering units after registration. After registration, the allowable inventory of a registering unit may be replenished upon the surrender, pursuant to this order, of stamps and certificates received by the registering unit from the persons to whom its component establishments delivered sugar.

§ 1407.109 Late registrations. A registering unit which was not registered on April 28 or 29, 1942, may be registered thereafter at the office of the Board. In applying for late registration, the present inventory and the allowable inventory shall be computed and declared as of April 28, 1942.

§ 1407.1092 Ration banking by regtailers and wholesalers. (a) Each owner of a registering unit which includes or is composed of one or more wholesale establishments, more than one retail establishment, or a single retail establishment whose gross sales of all foods during the month of December 1942, or during any single calendar month since December 1942, were more than \$2500.00, shall open at least one account for all the component establishments of such registering unit.

(b) The owner of any other registering unit composed of only one retail establishment may open an account for such establishment if such establishment had an account on April 27, 1943, or has a ration bank account for any other rationed food. (A bank is not required to

open or maintain such accounts, but if it does so, it must open or maintain them for any such retail establishment which

applies.)

(c) The owner of a registering unit described in paragraph (a) of this section may, at his option, open a separate account for each establishment, or for any group of establishments, in such registering unit.

(d) Each account shall be opened in the name of the owner, who shall designate the establishment or establishments to be served. All accounts shall be opened in accordance with General Ration Order No. 3A.

(e) An owner of a registering unit may transfer ration credits from one account to another by the issuance of a check without the delivery of sugar, if these accounts are carried for establishments in the same registering unit.

§ 1407.110 Records. Establishments selling at retail or at wholesale shall keep records of all sugar received by them. An establishment operating as a wholesaler shall also keep a record of the names and addresses of all persons to whom sugar was delivered at wholesale and the quantities and dates of such deliveries. These records shall be kept at the office of the registering unit of which the establishment is a part and shall be made available for inspection by the Office of Price Administration and the Board. Such records shall be retained for a period of not less than 2 years.

§ 1407.111 Replacement of sugar lost in repackaging. (a) A registering unit may obtain certificates in weight value equal to the amount of sugar lost by the retail and wholesale establishments included in the registering unit in packaging sugar: Provided, That the weight value of such certificates shall not exceed one per cent of the amount of sugar thus packaged.

(b) Application for such certificates shall be made by the registering unit for each six-month period ending October 31 or April 30. It shall be made to the Board on OPA Form No. R-315, in the month following the close of each such period, and shall establish compliance with the requirements of paragraph (a) of this section and include such other information as the Board may require.

§ 1407.112 Surrender of certain expired stamps and certificates in exchange for certificates or reduction of excess inventory. (a) A registered retailer or wholesaler may surrender to the Board any stamps numbered 1 through 9 or any expired certificates in exchange for which he delivered before March 19, 1943, and within the periods specified in § 1407.141, the quantity of sugar authorized to be delivered by such stamps and certificates. If his excess inventory as adjusted pursuant to § 1407.107 is equal to or greater than the weight value of such surrendered stamps and certificates, the Board shall reduce the excess inventory by the weight value of such stamps and certificates. However, if the weight value of such stamps and certificates is greater than his excess inventory as adjusted pursuant to § 1407.107, the Board shall cancel the excess inventory and issue to him a certificate in weight value equal to the difference.

(b) Application for such reduction of excess inventory or a certificate shall be made on OPA Form No. R-315 on or before April 9, 1943. The application shall state facts establishing compliance with the requirements of paragraph (a) of this section and such other information as the Board may require. The application shall be accompanied by the stamps and certificates to be surrendered and such stamps shall be pasted on cards as prescribed by § 1407.142.

# PRIMARY DISTRIBUTORS

§ 1407.120 Ration banking by primary distributors. (a) On or before February 8, 1943, each primary distributor shall open at least one account for all his establishments, other than institutional or industrial user establishments. If the primary distributor has more than one establishment he may, at his option, open a separate account for each establishment or group of establishments. Each account shall be opened in the name of the owner, who shall designate the establishment or establishments to be served. All accounts shall be opened in accordance with General Ration Order No. 3A. The primary distributor shall notify the Washington Office of the Office of Price Administration of the opening of such account or accounts and the name and address of the establishment or establishments to be served by each such account. If a person becomes a primary distributor on or after February 8, 1943, he shall, within one week thereafter, open such account or accounts and shall notify the Washington Office of the Office of Price Administration of the opening of such account or accounts, and the name and address of each establishment to be served by each such account.

(b) Each primary distributor shall deposit all stamps and certificates received by him within the periods specified in § 1407.141, each check transferred to him by endorsement within 20 days of its receipt by him, and each check issued to him within twenty (20) days of the date appearing on its face. Stamps numbered one (1) through nine (9) and certificates received by him in accordance with this order, prior to February 8, 1943, which are dated before December 10, 1942, and which bear no endorsement later than January 9, 1943, may not be deposited. but shall be sent by the primary distributor to the district office having jurisdiction over the area in which the principal office of such primary distributor is located.

(c) A primary distributor may issue checks against ration credits in his account only as provided in § 1407.140 (e) or paragraph (d) of this section.

(d) On or before May 25, 1943, each primary distributor shall issue to the Washington Office of the Office of Price Administration a check in weight value equal to the total weight value of the stamps, certificates, and checks deposited by him on or before April 30, 1943,

minus the weight value of any checks issued by him on or before April 30, 1943, pursuant to § 1407.140 (e). On or before the 10th day of each month subsequent to May 1943 each primary distributor shall issue to the Washington Office of the Office of Price Administration a check equal in weight value to the total weight value of the stamps, certificates, coupons, and checks deposited by him during the preceding calendar month, minus the weight value of any checks issued by him during such preceding calendar month pursuant to § 1407.140 (e).

§ 1407.121 Deliveries by primary distributors. Except as is otherwise provided herein, a primary distributor may deliver sugar to persons not primary distributors, on and after April 28, 1942, only upon receipt of stamps or certificates in the manner set forth in this order.

§ 1407.122 Records of primary distributors. The primary distributor shall preserve for a period of 2 years at his principal business office records of all sugar delivered by him, the persons to whom such deliveries were made and the amounts thereof, the serial numbers of all certificates received therefor, the weight value of such certificates, and the amount of sugar delivered against them. The primary distributor shall, in each month, send to the district office a report of all deliveries made to the Army or Navy or any of the persons or agencies listed in paragraph (b) of § 1407,183.

§ 1407.123 Orders or commitments for future deliveries. (a) No primary distributor shall deliver sugar pursuant to a contract, agreement or commitment, regardless of when made, providing for delivery more than three days after the making thereof, directly or to a carrier for delivery. No primary distributor shall deliver sugar to fill any order, regardless of when received, calling for delivery more than three days after the receipt thereof, directly or to a carrier for delivery.

(b) This section shall not apply to deliveries to the Army or Navy of the United States or to any of the persons or agencies listed in § 1407.183 (b) of this order, or to deliveries of raw sugar which is not to be further refined or otherwise improved in quality.

§ 1407.124 Restrictions on primary distributors. (a) Primary distributors of beet sugar shall retain for delivery as the Office of Price Administration may order, the undelivered balance of the sugar derived from sugar beets, set aside by such primary distributors pursuant to Supplementary Order M-55-c issued by the War Production Board.

(b) Commencing with June 19, 1942, primary distributors of beet sugar shall set aside at the end of each month for delivery as the Office of Price Administration may order, fifteen percent (15%) of their production during such month.

(c) The provisions of paragraph (b) of this section do not apply to beet sugar produced from sugar beets of the 1943 crop. Any beet sugar produced from sugar beets of the 1943 crop and set aside, pursuant to paragraph (b) of this section, prior to November 1, 1943, is released from the provisions of paragraph (b) of this section and need not be held for delivery as the Office of Price Administration may order. "Sugar beets of the 1943 crop" include all sugar beets planted for harvest in the calendar year 1943, except that with respect to sugar beets grown in Yuma County, Arizona, in Imperial County, California, and in those parts of the Imperial and Coachella Valleys which are included in Riverside County, California, "sugar beets of the 1943 crop" do not include sugar beets planted for harvest in the calendar year 1943 but include sugar beets planted for harvest in the calendar year 1944.

SUGAR PURCHASE CERTIFICATES, WAR RATION BOOKS, WAR RATION STALIPS AND SUGAR RATION CHECKS

§ 1407.140 Use of checks by depositors and non-depositors. Notwithstanding anything to the contrary contained in this order:

(a) No depositor, and, on and after February 8, 1943, no person required to be a depositor, shall, except in accordance with General Ration Order No. 3A, surrender or transfer stamps or certificates which are valid for deposit.

(b) Whenever this order requires or authorizes the surrender or transfer of stamps or certificates to a person, other than a bank for deposit, and such stamps or certificates are valid for deposit, a depositor shall not surrender or transfer such stamps or certificates but shall instead, under the same circumstances and with the same effect, issue to such person a check, valid for deposit, in weight value equal to such stamps or certificates.

(c) Whenever this order authorizes the delivery of sugar upon the surrender or transfer of stamps or certificates, such delivery may be made to a depositor upon receipt, by the person making the delivery, of a check valid for deposit issued to him by the depositor and equal in weight value to such stamps or certificates.

(d) A person who neither is nor is required to be a depositor to whom a check is issued by a depositor or to whom a check is transferred by endorsement may transfer such check by endorsement to any person to whom and for any purpose for which stamps or certificates are authorized to be surrendered by this order.

(e) A depositor who has received stamps, certificates or checks from a registering unit or industrial or institutional user establishment may issue to it a check in weight value equal to the sugar which he has not delivered against such stamps, certificates or checks, but which he is then authorized to deliver to such registering unit or industrial or institutional user establishment against such stamps, certificates or checks.

(f) A depositor who has received stamps, certificates or checks as authorization for the delivery of sugar by him may not, except as provided in paragraph (e), issue a check against any part of the credit created by their deposit except to the extent that he has delivered sugar against them.

(g) Whenever this order refers to the delivery or acquisition of sugar (including the replenishment of inventory), upon or without the receipt or surrender of stamps or certificates, the issuance of checks by a depositor or, in the case of a person who neither is nor is required to be a depositor, the transfer of checks by endorsement shall be deemed to be included in such reference, unless the context shall otherwise require.

(h) No person may accept stamps, certificates, or checks which he knows or has reason to believe are transferred or surrendered in violation of this section.

§ 1407.141 Nature and validity of certificates and stamps. (a) A certificate or stamp may be transferred only for the purpose of authorizing the consumer or registering unit to whom the certificate or stamp was issued to take delivery of the amount of sugar specified on the certificate or assigned to the stamp in § 1407.243, Schedule C, of this order, and to permit the registering unit to which the certificate or stamp has been surrendered to take delivery of sugar in order to replenish its sugar inventory. Stamps in the hands of a consumer are valid only if attached to a War Ration Book.

(b) Each stamp authorizes delivery of sugar to a consumer only during the ration period assigned to such stamp in § 1407.243. A stamp received in accordance with this order by a registering unit, which is neither a depositor nor required to be one, authorizes the registering unit to take delivery of sugar in an amount equal to the weight value of the stamp if such stamp is surrendered to another registering unit or a primary distributor within a month of the close of the ration period assigned to such stamp. A stamp surrendered to a depositor shall be valid for deposit in his account for a period of a month and ten days after the close of the ration period assigned to such stamp: Provided, however, That, notwithstanding anything to the contrary contained in this order, Stamp No. 12 may, on or before July 31, 1943, be surrendered by a registering unit which is not and is not required to be a depositor to authorize the registering unit to take delivery of sugar and may be deposited on or before August 10, 1943. Except as provided in paragraph (f) of § 1407.140, a depositor may issue checks at any time, against credits created by the deposit of a stamp. Stamps numbered one through eleven shall not be valid for deposit. If the ration period assigned to a stamp ends on a day which is not the last day of a calendar month and the next calendar month has a day which corresponds thereto, then a "month", as used in this paragraph, is the period from the last day of the ration period to and including the corresponding day of the next calendar month; otherwise it is the period from the last day of the ration period to and including the last day of the next calendar month.

(c) (1) A certificate issued on OPA Form R-306 authorizes the person to whom it is issued, if he is not a depositor nor required to be one, to take delivery of sugar if such certificate is surrendered within 60 days from the valid date of the certificate. Such certificate duly transferred by endorsement to a registering unit that is neither a depositor nor required to be one, authorizes the delivery of sugar to such registering unit if such certificate is surrendered within 80 days from the valld date of the certificate. Such certificate duly transferred or issued to a depositor shall be valid for deposit in the account of such depositor for a period of 80 days from the valid date of the certificate. Such certificate issued before January 27, 1943, which is duly transferred to a registering unit by endorsement authorizes the delivery of sugar and may be deposited within 60 days from the valid date of the certificate or within 30 days from the date contained in the endorsement to such registering unit, whichever is later.

(2) A certificate issued on OPA Form R-1201 authorizes the person to whom it is issued, if he is not a depositor nor required to be one, to take delivery of sugar if such certificate is surrendered not later than the date appearing on the face thereof. Such certificate duly transferred by endorsement to a registering unit that is neither a depositor nor required to be one, authorizes the delivery of sugar to such registering unit if such certificate is surrendered within 20 days from the date appearing on the face thereof. Such certificate duly transferred or issued to a depositor shall be valid for deposit in the account of such depositor for a period of 20 days from the date appearing on the face thereof.

(3) A depositor may, except as provided in paragraph (f) of § 1407.149, issue checks at any time, against credits created by the deposit of a certificate. Certificates which before January 27, 1943, ceased to authorize the delivery of sugar shall not be valid for deposit.

(d) A primary distributor receiving certificates, or a registered wholesaler receiving stamps or certificates, from a registering unit upon request may deliver to such registering unit a quantity of sugar equal to the weight value of the stamps and certificates so received, plus an additional quantity equal to either: (1) an amount, not in excess of 10% of the weight value of the stamps or certificates so received, required to make a total quantity equal to that contained in a Shipping Unit; or (2) an amount not in excess of ninety-nine (99) pounds, required to permit delivery in shipping packages customarily used by the person making the delivery.

If the amount of sugar delivered is greater than the weight value of the certificates and stamps received the person accepting the delivery shall be charged with such excess and shall surrender stamps or certificates of weight value equal to such excess before accept-

ing delivery of any additional sugar from any person.

(e) As used in this section the term "registering unit" includes industrial user establishments and establishments registered under General Ration Order 5 as Group II and III institutional user establishments.

§ 1407.142 Surrender of certificates and stamps. (a) Certificates or stamps must be surrendered by the consumer or registering unit receiving the sugar to the primary distributor or registering unit delivering the sugar at or before the time of delivery. A stamp must be detached by the consumer or the person acting on his behalf from the War Ration Book of the consumer only in the presence of the person making delivery of the sugar. Before a certificate is surrendered, the proper endorsement on the reverse side shall be completed by the holder of the certificate.

(b) A registering unit or primary distributor to which stamps are surrendered by a consumer must paste the stamps on OPA Form No. R-304 (War Ration Stamp Card), or upon a similar card: only stamps bearing the same number may be affixed to the card. When a registering unit surrenders a card for the purpose of authorizing a delivery of sugar to it, the name and address of the registering unit surrendering the card and the name and address of the registering unit, Collector of Customs, or primary distributor to whom the card is being surrendered shall be written on the face or back of the card by the one surrendering the card. Before a card may be surrendered for the purpose of deposit, the person surrendering the card shall, if he affixed the stamps to the card. endorse it by writing his name and address on its face or shall, if he received the card with stamps affixed, endorse it by writing his name on its back.

(c) As used in this section the term "registering unit" includes industrial user establishments and establishments registered under General Ration Order 5 as Group II and III institutional user establishments.

§ 1407.142a Use of coupons. Notwithstanding anything to the contrary contained in this order:

(a) Whenever this order authorizes the delivery of sugar to a consumer upon the surrender of stamps or certificates, such delivery may be made upon the surrender by the consumer of coupons equal in weight value to the amount of sugar delivered and bearing the serial number of the consumer's book. The consumer's book shall be presented to the person making the delivery at the time the coupons are surrendered and such person shall make delivery only if the coupons bear the same serial numbers as the book.

(b) A coupon authorizes the delivery of sugar to a consumer in an amount equal to the weight value of such coupon, until February 29, 1944. A coupon received in accordance with this order by a registering unit, which is neither a depositor nor required to be one, au-

thorizes the registering unit to take delivery of sugar in an amount equal to the weight value of the coupon until March 31, 1944. A coupon surrendered to a depositor shall be valid for deposit in the account of such depositor until April 10, 1944.

(c) Whenever a registering unit, primary distributor, or Collector of Customs receives a coupon in accordance with this order it may deliver sugar against such coupon and surrender or deposit such coupon for the same purposes and with the same effect as if such coupon were a stamp, subject, however, to the

provisions of this section.

(d) A registering unit, primary distributor, or Collector of Customs to whom coupons are surrendered by a consumer shall enclose such coupons in an envelope and shall surrender or deposit them in accordance with the procedure prescribed for stamps or coupons by General Ration Order 7.10 Such coupons shall be received, surrendered, or deposited, and sugar may be delivered against them, by a registering unit, primary distributor, or Collector of Customs, only in the same manner, for the same purpose and with the same effect as such registering unit, primary distributor, or Collector of Customs could receive, surrender, deposit, or deliver sugar against, stamps of equal weight value.

§ 1407.143 Type of sugar authorized. A certificate or stamp shall authorize delivery and receipt of any kind, type, or grade of sugar.

§ 1407.144 Moving establishment to another place. (a) A person may move his "retailer" or "wholesaler" establishment to another place after notifying the Board of his new address. A primary distributor may move his "primary distributor" establishment to another place after notifying the Washington Office of the Office of Price Administration of his new address.

(b) If a person wishes to move his "industrial user" establishment to another place, he must treat his moving as the closing of one establishment and the opening of a new establishment unless he applies for and is granted permission to continue his operations at the new place. The application must be made, on OPA Form R-315, to the Board with which the establishment is registered, and must, in addition to showing the new address, give explanations indicating whether:

(1) The entire establishment, including substantially all the equipment and the inventory of sugar will be moved to

the new place;

(2) He will continue to serve, from the new place, the same general class of customers and the same area he serves from his present place; and

(3) He will continue to produce, at the new place, the same classes of products which he produces at his present place.

The Board shall send the application, with its recommendation, if any, to the district office. If the district office finds that the establishment will continue to

be operated in substantially the same manner as at its present place, and that the tests described above are satisfied, it shall grant the application.

(c) An industrial user who moves his establishment and is granted permission to continue his operations at the new place, may not use his allotment if his operation of the establishment ceases to meet the tests described in paragraph (b).

§ 1407.144a Sale or transfer of retailer or wholesaler establishments—(a) General. (1) When any "person" sells or "transfers" to any other person the business and inventory of his "retailer" or "wholesaler" establishment for continued operation, they must both notify the Board at which the establishment is registered. The notice must be given, in writing, within five days after the sale or the transfer and must show:

(i) The name and business address of the establishment and of the persons

transferring and acquiring it;

(ii) The sugar inventory transferred; and

(iii) The amount of ration credits in the establishment's account, if any (deducting the amount of any outstanding checks) and the amount of evidences on hand.

This notice will be treated as the transferee's registration and as a cancellation of the transferor's registration.

(2) If the transferor has an account, he must notify the district office in the way required by General Ration Order 3A

- (b) Purchaser of "retailer" or "wholesaler" establishment may get its ration evidences. The purchaser or transferee of a "retailer" or "wholesaler" establishment may get and use all the certificates, stamps, and coupons of the establishment in the same way as the seller or transferor was entitled to use them. If the establishment has an account, the transferor must transfer all the credits in the account to the transferee by issuing a ration check. (The check shall not include the amount of outstanding checks drawn on such account.) If the establishment does not have an account, the transferor is to give to the transferee the stamps and coupons he has and endorse and give to the transferee any ration checks and certificates he has. (If the transferee is required to have an account, he must deposit all ration evidences in that account. If the transferee is not required to have an account. he may endorse the checks and certificates and use them to get sugar.)
- (c) Same rules apply to the sale of a registering unit composed of more than one establishment. The rules set forth above also apply to the owner of a registering unit which includes more than one establishment and who sells and transfers all of them for continued operation. The owner must give the information and give up or transfer ration evidences for all the establishments.
- (d) Sale of part of registering unit. Where a registering unit consists of several establishments, only some of which

<sup>10 8</sup> F.R. 2858, 2997, 4840, 6965, 11738, 16279.

are sold or transferred, the purchaser or transferee may not acquire its ration evidences. In this case, the seller or transferor keeps the evidences. The transferor may use the evidences with his other establishments in the registering unit.

§ 1407.144b Sale or transfer of industrial user establishment—(a) General.

(1) When an industrial user sells or transfers to any other person the business and inventory of his industrial user establishment for continued operation, both the transferor and the transferee must notify the Board at which the establishment is registered. The notice must be given in writing within five days after the sale or transfer and must show:

(i) The name and business address of the establishment and of the persons transferring and acquiring it:

(ii) The sugar inventory of the establishment transferred; and

(iii) The amount of ration credits in the establishment's account (deducting the amount of any outstanding checks).

(2) If the transferor has an account, he must notify the district office in the way required by General Ration Order 3A.

(b) Transferor must give up unused ration evidences. The seller or transferor must give to the Board all ration evidences he has for the establishment. If the establishment has a ration bank account, he must give up the evidences in the form of his certified ration check payable to the Office of Price Administration. (The check shall be equal in amount to the credits in the account minus outstanding checks.) The notice described in paragraph (a) and the surrender of unused evidences will be treated as a cancellation of the transferor's registration and allotment.

(c) Application for allotment by transferee. The transferee may not use the sugar which was transferred with the establishment unless he receives an allotment. The application for an allotment must be made on OPA Form R-315 to the Board where the establishment was registered and must state facts

showing whether:

(1) The entire establishment, including substantially all the equipment, the good will, and the inventory of sugar, have been transferred.

- (2) The transferee will continue to serve from that establishment the same general class of customers in the same area served by it before the transfer; and
- (3) The transferee will continue to produce at the establishment the same classes of products the transferor was permitted to produce, though not necessarily under the same trade name.

The Board shall send the application, the notices sent to it by both parties and the transferor's registration to the district office.

(d) Granting of allotment. If the district office finds that the establishment will continue to be operated in substantially the same manner as before

the transfer and that the tests described in paragraph (c) are satisfied, it will assign to the transferee the transferor's allotment and base-period use for that establishment. It will also give the transferee a certificate for the value of the evidences that the transferor surrendered to the Board. However, if the amount of sugar delivered to the transferee with the establishment is larger than the unused part of the allotment for the current period plus any unused part of the transferor's earlier allot-ments, the difference will be treated as "excess inventory". The transferee may not use any part of the allotment already used by the transferor, but he may use any unused part of any prior allotment the transferor received for that establishment.

(e) Same rules apply to sale of entire chain. The same rules apply where a person who has more than one industrial user establishment sells or transfers all of them for continued operation, whether or not they were registered separately.

(f) Sale of part of a chain. (1) When the seller or transferor has more than one industrial user establishment which he registered separately, and sells or transfers one or more, but not all, of them, the procedure described in paragraphs (a), (b), (c), and (d) must be followed separately, as to each establish-

ment transferred.

(2) When the seller or transferor has more than one industrial user establishment which he registered together, and sells or transfers one or more, but not all, of them, the procedure described in paragraphs (a) and (c) of this section must be followed, except that the transferor must also apply to the Board with which he is registered for a redetermination of his allotment and base-period use. The Board shall send the application and notices of both parties, and the transferor's registration, to the district office. If the district office finds that the tests described in paragraph (c) are satisfied, it shall grant an allotment to the transferee and assign to him a base-period use. It shall first determine the amount of the transferor's allotment and baseperiod use allocable to the transferred establishment. That base-period use shall be assigned to the transferce. The transferee's allotment shall be the part of the transferor's allotment for that establishment corresponding to the unexpired part of the allotment period. The base-period use and the allotment assigned to the transferee shall be deducted from the base-period use and current allotment of the transferor. The district office shall issue a certificate to the transferee on the basis of the allotment granted to him and the amount of the inventory he acquired from the transferor. If the amount of sugar which is transferred with the establishment is less than the allotment assigned to the transferee, the transferor must give up evidences to the Office of Price Administration for the difference. If he does not give up evidences, that difference shall be treated as "excess inventory".

(g) Transferee's registration. A transferee is regarded as registered as soon as the district office assigns an allogment and base-period use to him.

(h) Use of allotment by transferee. A transferee may not use an allotment assigned to him under this section if his operation of the transferred establishment ceases to meet the tests described

in paragraph (c).

§ 1407.144c Where and how a transferce registers establishments acquired by him. (a) A person who buys or otherwise acquires an industrial user establishment of any type and who already has two or more industrial user establishments which are registered together must register the new establishment together with his other establishments at the same Board. (If he already has his other industrial user establishments registered separately, the new establishment must be registered with the Board where it is located.)

(b) A person who buys or otherwise acquires a "retailer" or "wholesaler" establishment and who already has a registering unit which includes an establishment or establishments of the same type may either register such establishment separately or may register it with his other establishments of the same kind. If the owner desires to obtain a new allowable inventory for the registering unit because of the addition of such establishment he shall apply to the Board under § 1407.161.

§ 1407.144d What a person who closes his establishment must do—(a) General. (1) Any retailer, wholesaler, or industrial user who goes out of the business of dealing in or using sugar at his establishment must notify the Board at which it is registered. The notice must be given in writing within five days after he goes out of business. It must show:

(i) The name and address of the es-

tablishment.

(ii) The sugar inventory of the establishment at the time he stopped doing business.

(iii) The amount of ration credits in the establishment's account, if any (deducting the amount of any outstanding checks), or, if he has no account, the amount of ration evidences on hand.

(2) If he has a ration bank account, he must also notify the district office in the way required by General Ration

Order 3A.

(3) He must account to the Office of Price Administration for all evidences he has for the establishment at which he ceased doing business. If all his sugar has not been disposed of at the time of the notice, he must account for evidences for such sugar as soon as stocks have been liquidated. An industrial user who has given the notice called for above may deliver the sugar in the same way "retailers" are permitted to make deliveries.

(b) Closing of entire chain. The rules set forth in paragraph (a) of this section also apply to a person who:

(1) Has more than one industrial user establishment and goes out of business at all of them, whether or not they were

registered separately, or

(2) Has a registering unit which includes several retailer or wholesaler establishments and goes out of business at all such establishments. He must give the information required and must give up evidences for all the establishments.

- (c) Closing of part of a chain. (1) A person who has a registering unit composed of several "retailer" or "wholesaler" establishments may go out of business at one or more establishments but may continue to operate the others in such registering unit. In that case, he need not give up evidences to the Office of Price Administration at that time but may use them for the operation of the establishments which he continues in that registering unit. He must give written notice to the Board at which the registering unit is registered, giving the name and address of the establishment closed, within five days after he closes it.
- (2) A person who has several industrial user establishments which are registered together may go out of business at one or more of them, but may continue to operate the others. In that case, he must notify the Board with which he is registered. The notification must be in writing and must state whether and to what extent he will continue to serve. from his other establishments, the same area and the same general class of customers. The Board must send the notification and his registration to the district office. The district office shall determine the extent to which he remains entitled to use his entire allotment. He may keep his entire allotment only if his remaining establishments will continue to serve the same general class of customers and the same area as the establishment closed. His allotment and his base-period use must be reduced to the extent that he will cease to serve the same class of customers and the same area. If his allotment is reduced, he must give up to the Office of Price Administration evidences equal to the reduction. If he does not have evidences to give up, the amount of the reduction shall be treated as "excess inventory".
- § 1407.145 Stamps and certificates may not be taken by legal process or acquired by will. (a) No stamp, certificate, coupon, or ration check or any interest in it, may be taken or seized by judicial process or by any court order. However, a person to whom a War Ration Book, a coupon or a certificate has been issued may bring a legal proceeding to recover it from any person who is wrongfully in possession of it. He may, as part of that proceeding, take or seize it by judicial process or court order.
- (b) No stamp, coupon, or certificate, or any interest in it, may be transferred or acquired by inheritance or by will.
- § 1407.146 Delivery of sugar for carriage or storage. Any person may deliver sugar to any other person for carriage or storage without getting evidences. The sugar may thereafter be de-

livered by such other person, without getting evidences, either to the person from whom the sugar was received, or to a person to whom the right to receive such sugar has been transferred under this order.

§ 1407.146a- Security interests in sugar may be created and released without giving up evidences. (a) No evidences need be given up for a delivery of sugar, or of any interest in it, for security purposes only. (For example, if sugar is pledged or mortgaged, the person with whom it is pledged or mortgaged need not give up evidences.)

- (b) No evidences need be given up for a release of a security interest in sugar, or for a return of the sugar to the person who originally delivered it for security purposes. (For example, a person who pledged sugar may get it back without giving up evidences. Similarly, a person who gives a chattel mortgage on his sugar need not give up evidences when the mortgage is ended.)
- § 1407.147 Disposal of damaged sugar and undamaged sugar mingled therewith or sugar in a package, bag, or other container damaged while in transit by common carrier. (a) Sugar which is damaged and undamaged sugar mingled therewith, or sugar which is in a package, bag, or other container damaged while in transit by common carrier, may be delivered by any person who has it, without getting evidences to:

(1) Primary distributors;

- (2) Any person who has insured such sugar against loss or damage and is duly authorized by law to engage in the insurance business:
- (3) Common or contract carriers in connection with the right of subrogation or by virtue of the payment by them of a claim for damage to such sugar or container; and
- (4) Persons engaged principally and primarily in the business of adjusting losses or selling or reconditioning damaged commodities, who take possession of or receive such commodities on the occurrence or imminence of casualties or in direct connection with the adjustment of losses resulting from casualties.
- (b) Any person described in paragraph (a), (2), (3), or (4) who acquires such sugar under paragraph (a) must make a report of such transaction, in writing, to the district office for the place where his principal business office is located. The report must indicate how he intends to dispose of such sugar.
- (c) Following such report, undamaged sugar which has been mingled with, but which can be and is-separated from damaged sugar, or sugar which is in a package, bag, or other container damaged while in transit by common carrier, may be disposed of by such person, but only in the way permitted by § 1407.147d (c) (1), (2), (3), and (4). Damaged sugar and undamaged sugar mingled therefrom may be disposed of but only as follows: by delivery, directly or by carrier, without receiving evidences, to (1) a primary distributor or (2) any person for storage

purposes. If such sugar is delivered for storage, it may later be delivered, without receiving evidences, to a primary distributor.

§ 1407.147a Adjustments for lost, destroyed, stolen, or damaged sugar. (a) A registering unit or an industrial or institutional user who, under § 1407.147 (a), delivers damaged sugar and undamaged sugar mingled therewith, or whose sugar is destroyed, lost, stolen, or taken away by legal process or order of a court may obtain evidences covering the original weight of such sugar. A registering unit or an industrial user or institutional user who, under § 1407.147 (a), delivers sugar in a package, bag, or other container damaged while in transit by common carrier may obtain evidences covering the amount of sugar in such package. bag, or other container before it was damaged. A registering unit or an in-, dustrial or institutional user whose sugar, although in a package, bag, or other container damaged while in transit by common carrier, was not delivered under § 1407.147 (a) or was in a package, bag, or other container damaged in any other way may get evidences covering the amount of sugar lost from the package, bag, or other container because of such damage.

(b) Application must be made, on OPA Form R-315, to the district office for the place where the applicant is registered and must show that he meets the requirements of paragraph (a). If the district office finds that the applicant is entitled to a certificate under this section, it will instruct the Board with which the applicant is registered to issue such

certificate.

§ 1407.147b Recovery of lost or stolen sugar. (a) Sugar which has been lost or stolen may be recovered without the surrender of stamps or certificates by the person rightfully in possession thereof when it was lost or stolen, or by a person who has insured such sugar against loss or damage and is duly authorized by law to engage in the insurance business or by a common or contract carrier in connection with the right of subrogation or by virtue of the payment by it of a claim for such loss or theft. Such recovery may be made directly or through a government agency or other person authorized to secure such recovery.

(b) A registering unit or an industrial or institutional user who recovers lost or stolen sugar for which he has obtained a certificate under § 1407.147a must report such fact in writing to the district office for the place where he is registered. The report must also state the amount of such sugar and how he intends to dispose of it. Such sugar may thereafter be disposed of by the registering unit or industrial or institutional user, but only in the way provided by § 1407.147d (c) (1), (2), (3), and (4).

(c) An insurer or carrier who recovers lost or stolen sugar must report such fact in writing to the district office for the place where his principal business office is located. The report must also state the amount of such sugar and how

he intends to dispose of it. Such sugar may thereafter be disposed of by the insurer or carrier, but only in the way provided by § 1407.147d (c) (1), (2), (3), and (4).

§ 1407.147c Miscellaneous records. Any person required to make a report to the district office under §§ 1407.147, 1407.147b or 1407.147d, shall preserve for a period of two years at his principal business office records of all sugar received or delivered by him, the person by whom or to whom such deliveries were made and the amounts thereof, the weight value of all stamps and certificates received by him for such deliveries, the serial numbers of such certificates, and the amount of sugar delivered against such stamps and certificates. Such records shall be made available for inspection by the Office of Price Administration and the district office.

§ 1407.147d Delivery of sugar for liquidation, by operation of law, or in judicial proceedings-(a) General. Sugar may be delivered without the receipt of ration evidences to a person who gets it for liquidation only. Also, no evidences need be given up for sugar delivered as part of a judicial proceeding or by operation of law, or for sugar delivered under the direction of or pursuant to an order of a court or by judicial process. (For example, sugar may be taken over by a creditor, under a court order, without any surrender of evidences. If sugar is assigned for the benefit of creditors, the person to whom it is assigned need not give up evidences to the person making the assignment. Also a person need not give up evidences when he inherits sugar or acquires it by

(b) Transferee must report acquisition. A person who acquires sugar under paragraph (a) without giving up evidences must, within five days after receiving such sugar, file a report, in writing, with the district office for the placewhere his principal business office is

located, showing:

(1) The amount of sugar acquired; (2) The name and address of the person from whom the sugar was acquired;

(3) The way in which the sugar was acquired and the date when it was delivered to him; and

(4) How he intends to dispose of the sugar.

(c) How transferee may dispose of the sugar. After making the report under paragraph (b), the transferee may dispose of the sugar in the following ways:

(1) He may sell or deliver it to a primary distributor without getting evi-

dences:

- (2) He may sell or deliver it in the same way that a "retailer" is permitted to sell or deliver sugar. However, in such case, he must, within five days after the sale or delivery, give up to the district office, the evidences received;
- (3) If he is an industrial user, he may. use the sugar if he treats it as "excess inventory", or
- (4) If he is an institutional user, he may use the sugar if he surrenders evi-

dences, covering the amount of such sugar, to the district office for the place where his principal business office is located.

(d) Consumer inheritance. A consumer who acquires sugar from another consumer by inheritance or by will may use the sugar without giving up evidences.

§ 1407.148 Destroyed, mutilated, or stolen certificates, stamps, and coupons. (a) A certificate that is torn or mutilated shall be valid only if more than one-half thereof remains legible, and such remaining portion clearly evidences the date of the certificate, its weight value, and the name of the holder. A coupon that is torn or mutilated shall be valid only if more than one-half thereof remains legible and such remaining portion clearly evidences its weight value and the serial number of the book of the consumer to whom it was issued. A stamp that has been torn or mutilated is valid in the hands of the consumer only if more than one-half remains undetached in the book.

(b) If a certificate, stamp, or coupon held by a registering unit or an industrial or institutional user establishment is lost, destroyed, or stolen, or becomes invalid because of mutilation, the person entitled to such stamp, coupon, or certificate may apply for a new coupon or certificate in the weight value equal to that of the replaced stamp, coupon, or certificate. The application therefor shall be made to the Board upon OPA Form No. R-315 by such person or his authorized agent. The Board, in a proper case, shall grant the application.

(c) If a certificate or coupon held by a consumer is lost, destroyed, or stolen, the consumer may apply for a replacement certificate or coupon. The application therefor shall be made to the Board upon OPA Form No. R-315 by the consumer personally or by an adult member of his family unit or by an authorized agent. The Board, in a proper case, shall grant the application.

§ 1407.149 Drop shipments. Any registering unit from which delivery of sugar is requested, if the parties so agree, may direct the registering unit, the industrial user, or the institutional user requesting delivery to take the sugar from the premises of a third party or may direct the third party to deliver the sugar. In such event the registering unit from which delivery of sugar was requested shall surrender to the third party as authority for the delivery any stamps or certificates received from the registering unit, the industrial user, or the institutional user to which the sugar is delivered.

§ 1407.151 Duty to ascertain validity of certificates and stamps. No person shall make delivery of sugar if he knows or has reason to know that the certificate or stamp involved was not acquired by the person surrendering it in accordance with this order.

§ 1407.152 Notification to Office of Price Administration of legal proceedings. It shall be the duty of every person holding a certificate or stamp to notify the Regional or Field Office of the Office of Price Administration immediately upon the commencement of any legal action or proceeding involving a certificate or stamp.

§ 1407.153 Issuance of Certificates. Certificates may be signed and issued by a Registrar, a member of the Local Rationing Board, or by such other persons as the Office of Price Administration may designate.

PETITIONS FOR ADJUSTMENT: APPEALS: NEW BUSINESS: MISCELLANEOUS

§ 1407.161 Applications may be made for adjustment—(a) How to apply. Any registering unit or industrial user which needs an adjustment in its inventory or allotments (or other relief) may apply on OPA Form R-315 to the board with which it is registered. The applicant must state in his application all facts which he claims show his need for the adjustment and the nature and amount of the adjustment he requests. The Board must send the application, together with all other information received, to the district office. The Board may attach its recommendation as to the action to be taken. The district office shall send the file to the "Washington Office" for decision or take such other action as the "Washington Office" may authorize or direct.

§ 1407.162 Appeals. (a) A person may appeal from any action of the Board, district office, or Regional Administrator adverse to such person. Such appeal shall be brought in accordance with the terms and provisions of Procedural Regulation No. 9."

(b) This section shall not apply to any action taken with respect to petitions made pursuant to §§ 1407.161 or 1407.163, except action taken with respect to such a petition by the Board. district office, or Regional Administrator in cases where the Board or official taking the action has been authorized by the Office of Price Administration to grant or deny such petition.

§ 1407.163 New establishments and ineligible establishments desiring sugar. (a) Any person desiring to obtain sugar for a wholesaler, retailer, or industrial user establishment, not eligible for registration under either this order or General Ration Order 16, may petition the Board for the place in which the principal business office of the establishment is, or will be, located, for registration and assignment to such establishment of a base-period use, allotment, provisional allowance, or allowable inventory, as the case may be. The petition must be made on OPA Form R-315. The Board may not grant or deny the petition but will follow the procedure set forth in § 1407.161 with regard to petitions for adjustment.

<sup>117</sup> FR. 8796: 8 FR. 856, 1838, 2030, 2595, 2341, 4350, 4929, 7381, 11480, 11808, 12482, 11808, 12482, 14211.

- (b) Establishments referred to in this section include those which commenced operations using sugar subsequent to April 20, 1942.
- § 1407.164 Correction of registration. A registration made upon OPA Form No. R-305 or upon OPA Form R-1200 may be corrected so as to eliminate clerical

§ 1407.165 Finality of findings. All findings made by any Local Rationing Board, or the Office of Price Administration shall be final, except as may otherwise be provided in this order.

§ 1407.166 Exchange of sugar, tolling agreements, and borrowing of sugar by primary distributors. (a) Any person may exchange sugar of different types with any other person if the weights of the sugars exchanged are equal. No stamps or certificates shall be necessary to authorize deliveries of sugars involved

in such exchanges.

- (b) A registered industrial user, or other person authorized by the Office of Price Administration, hereinafter in this paragraph referred to as transferor, may surrender a check or certificate without obtaining sugar or may deliver sugar without obtaining stamps, certificates, or checks to a registered industrial user, hereinafter referred to as transferee, for the production of a product to be delivered to the transferor and for which the sugar so delivered, or the sugar authorized to be delivered by such check or certificate, could have been used by the transferor pursuant to this order. Except as the Office of Price Administration may otherwise authorize, the provisions of this paragraph shall apply only if the transferor is not one of the persons or agencies named in section 1.2 of General Ration Order 1112 and only if: (1) the transferor delivered sugar between January 1, 1941, and December 31, 1941, to another industrial user to be used for the manufacture of the same product, or (2) the means of production of the transferor have been temporarily so disrupted that production is imprac-
- (c) Upon authorization by the Office of Price Administration, a primary distributor may receive delivery of sugar from any person as a loan and thereafter deliver to such person an amount of sugar not exceeding the amount thus received. Such deliveries may be made without the receipt of stamps or certifi-
- § 1407.167 Investigatory agencies. Any investigatory or enforcement agency of the United States or of a State or local government which requires deliveries of sugar for the performance of its functions may receive certificates from the district office for the place where the agency's principal business office is located. Sugar acquired by such an agency with such certificates or with books shall be delivered by such agency to any Federal, State, or local

institution, which shall acknowledge receipt of the sugar and the amount thereof to the district office which issued the certificates or books.

§ 1407.168 Deliveries, transfers shipments outside a zone. (a) The Director of the Food Rationing-Division of the Office of Price Administration may, from time to time, issue orders establishing zones for the purposes of this sec-

(b) Except as otherwise authorized by the Director, no person shall deliver, ship or transfer sugar from a zone to a point outside such zone, and no person shall accept such delivery, shipment or trans-

(c) Paragraph (b) shall not apply to à delivery, shipment or transfer from a wholesale or retail establishment to a point within the established trading area of such establishment, if the person to whom delivery, shipment or transfer is made has customarily received sugar from a wholesaler or retailer.

.(d) Unless otherwise specified by the Director, paragraph (b) shall not apply to raw sugar, turbinado sugar, plantation white sugar, high-washed sugar, Louisiana seconds sugar, invert sugar, liquid sugar, or soft sugar in bulk; or to confectioner's, brown, loaf, tablet, and other specialty sugars in one and two pound packages, except fine granulated sugar; or to sugar refined or processed outside the continental United States.

(e) Paragraph (b) shall not apply to deliveries, shipments or transfers by or to the Army or Navy of the United States or by or to any of the persons or agencies specified in § 1407.183 (b) of this

order.

(f) Paragraph (b) shall not apply to deliveries, shipments or transfers of sugar by or to carriers for the purpose of making deliveries, shipments or transfers thereof exempted from paragraph (b) by paragraph (c), (d) or (e) or by the Director.

§ 1407.169 Deliveries of sugar by industrial users. (a) An industrial user who has received a provisional allowance may, with the prior approval of the board, deliver sugar in the original unopened packages of a primary distributor if the industrial user does not, at the time he makes application for such approval, expect to use any sugar in the next four months and the amount to be delivered does not exceed the unused part of his provisional allowance for the preceding period.

.(b) Application for the Board's approval must be made by the industrial user on OPA Form R-315 or such other form of application as may be approved by the Board. The application must establish compliance with the requirements of paragraph (a). If the requirements of paragraph (a) are met, the Board will approve the application.

(c) Such sugar may be delivered upon receipt of evidences and the evidences received must be given up to the Board for cancellation. The Board, when it next issues a certificate to the industrial user under § 1407.90 of this order, will

reduce his "excess inventory" by the amount of evidences given up.

§ 1407.169a Prohibition on deliveries by consumers and industrial and institutional users. No consumer or institutional or industrial user may deliver sugar, except as authorized by the Office of Price Administration or as provided in this order or General Ration Order 5.

§ 1407.169b General Ration Order 5 governs whenever inconsistent with this order. If any provision of this order is inconsistent with the provisions of General Ration Order 5, General Ration Order 5 governs and supersedes the provisions of this order to the extent that they are inconsistent. However, § 1407.168 of this order and the orders issued by the Director of the Food Rationing Division of the Office of Price Administration under that section govern in the event of any inconsistency with the provisions of General Ration Order 5 and shall not be superseded by any provision of General Ration Order 5.

§ 1407.170 Imports. (a) Sugar may be brought to a place subject to this order from a place not subject to this order, if it is delivered to the Collector of Customs at the point of entry into the United States. Such sugar may be delivered to the Collector without the receipt of stamps or certificates.

(b) The Collector of Customs may deliver sugar received by him to a consumer, registering unit, or an industrial or institutional user establishment upon receipt of evidences covering the amount of sugar delivered, or an authorization by the Office of Price Administration to such registering unit or industrial or institutional user establishment authorizing it to take delivery of such sugar.

Stamps or certificates received by the Collector of Customs shall be delivered, at least once each calendar month, to the district office having jurisdiction over the area in which such point of entry is located. Authorizations received by the Collector of Customs shall be delivered, at least once each calendar month, to the Office of Price Administration.

(c) The Collector of Customs may deliver sugar, received by him and brought from a place other than Canada or Mexico, to a primary distributor without the receipt of stamps or certificates.

- (d) Applications for authorization to take sugar from the Collector of Customs shall be made to the Office of Price Administration by the registering unit or industrial or institutional user on OPA Form No. R-315 or such other form of application as shall be approved by the Office of Price Administration and shall include such information as the Office of Price Administration may require. Such authorization shall not be deemed to increase the allotment of the industrial or institutional user.
- (e) Except as otherwise permitted in this order or as authorized by the OMco of Price Administration, no person shall bring sugar into a place subject to this order from a place not subject to this

<sup>128</sup> F.R. 9008, 9625, 10419, 11671, 12558, 12711, 13171, 13920.

order or receive sugar from the Collector of Customs.

§ 1407.171 Imports of sugar by certain persons. Notwithstanding any provision to the contrary contained in this order, the following persons may receive sugar from the Collector of Customs and the Collector of Customs may deliver sugar to them without the surrender of stamps or certificates:

(a) Upon request by the Department of State, representatives of foreign governments who are within the classes of persons specified in Article 432 (a) or Article 433 (c), Customs Regulations of

1937.

(b) Members of the armed forces of the United Nations, other than those of the United States, who are on duty within the United States, where the sugar is consigned or addressed to them and is intended for their personal or official use.

(c) Enemy prisoners of war and enemy civilian internees and detainees in the United States, where the sugar is consigned or addressed to them.

§ 1407.173 Miscellaneous record keeping. Any person required by this order on December 14, 1943, to keep records must retain such records for a period of not less than two years or until further order by the Office of Price Administration. Such records must be kept available during such period for inspection by the Office of Price Administration.

§ 1407.174 References to Rationing Order No. 3 deemed references to Revised Ration Order 3. References to Rationing Order No. 3 in any order, amendment, rationale, form, or other document shall be deemed references to Revised Ration Order 3.

ARMED FORCES OF THE UNITED STATES: CER-TAIN OTHER PERSONS AND AGENCIES

§ 1407.181 Armed forces personnel.
(a) Members of the armed forces of the United States and Allied Nations who do not have a War Ration Book and are not entitled to have it, may obtain certificates to obtain sugar under the circumstances and in accordance with the procedure set forth in General Ration Order 9.13

§ 1407.182 Deliveries of sugar to exempt agencies. (a) The Army, Navy, Marine Corps, or Coast Guard of the United States and the Food Distribution Administration, Maritime Commission, War Shipping Administration and Office of Lend-Lease Administration are known as exempt agencies for the purpose of General Ration Order 3B" and are authorized to open one or more exempt accounts under the provisions of General Ration Order 3B. In addition, -the Army Exchange Service, to the extent it acquires sugar for export to a foreign country or a territory or possession of the United States other than the District of Columbia, and Ships' Service Departments Afloat, are exempt

14 8 F.R. 2665, 9457.

agencies under this order and General Ration Order 3B. Sugar may be delivered to and accepted by these agencies only in exchange for a check of weight value equal to the amount of sugar delivered except that sugar may be delivered by one exempt agency to another exempt agency without the exchange of stamps, certificates, or checks.

(b) An exempt agency or an agency listed in § 1407.184a (a), shall issue a check in the proper amount to the person making delivery by the time of delivery or as soon as practicable there-

after.

(c) If, for any reason, a check cannot be issued when sugar is delivered to an agency listed in paragraph (a), an emergency acknowledgment shall be given to the person making the delivery at the time of delivery instead of a check. This acknowledgment may be in any form but shall set forth the name of the agency. the name and address of the activity within the agency to which the sugar is to be delivered, the name and address of the activity to which the emergency acknowledgment must be sent for replacement by a check, the weight value of the check to be issued for the delivery, and date of delivery. The acknowledgment must be signed by an authorized officer or employee of the agency, and must state his official title or rank. A person to whom such an acknowledgment is given may not change it at a Board or use it to acquire sugar but shall send it to the agency activity designated thereon, and the agency shall issue to him a check equal in weight value to the sugar delivered in exchange for the acknowledgment.

§ 1407.182a Ships' and planes' stores.
(a) Sugar may be acquired for use as ships' and planes' stores under the provisions of General Ration Order 5.

(b) An operator of a vessel or plane to whom a statement has been issued by a Collector of Customs (or military officer) under the provisions of General Ration Order 5 may acquire sugar up to the amount authorized thereon without the surrender of stamps or certificates. A registering unit may, in exchange for the statement, deliver sugar to such operator up to the amount specified on the statement without receiving stamps or certificates therefor.

(c) A registering unit may exchange such statement for a certificate at its board. It must attach to the statement a signed receipt, invoice, bills of lading, or such other evidence as substantiates the delivery of the sugar. If the board is satisfied that the sugar was delivered for ships' or planes' stores it shall issue a certificate to the registering unit equal in weight value to the amount so de-

livered.

(d) An airplane operator who has been allowed an operating inventory under General Ration Order 5 may exchange a statement issued by a Collector of Customs (or military officer) under the provisions of General Ration Order 5 for a certificate at a board having jurisdiction over any area where the operator maintains an office.

§ 1407.182b Obtaining sugar for demonstrations sponsored by Department of Agriculture Extension Service. (a) The Extension Service of the Department of Agriculture may open a ration bank account of the type provided in General Ration Order 3B and may, without getting sugar, issue checks to the State Director of the agricultural Extension Service of each State to provide sugar for demonstrations supposed by it.

(b) The total weight value of checks which may be issued by the Extension Service of the Department of Agriculture under paragraph (a) of this section in any period specified by the Office of Price Administration may not exceed the amount authorized by it for the purposes of this section for such period.

(c) The State Director of the agricultural Extension Service of each State may open an account of the type provided in General Ration Order 3B and may, without getting sugar, issue checks to any person to acquire sugar for demonstrations sponsored by the Extension Service of the Dapartment of Agriculture.

(d) Any person to whom a check is issued under paragraph (c) of this section may give up such check to the board and receive in exchange certificates, in such denominations as he may request, the total weight value of which shall not exceed the weight value of the check given up.

(e) Sugar acquired with a check issued under paragraph (c) of this section or a certificate issued under paragraph (d) of this section may be used only for the purpose of demonstrations sponsored by the Extension Service of the Department of Agriculture, but may not be used to demonstrate canning or preserving.

§ 1407.183 Deliveries of sugar to certain persons and agencies. (a) A registering unit which at any time after registration delivers sugar to any of the persons or agencies enumerated in paragraph (b) or (c) of this section except those agencies which are also listed in § 1407.182 (a) as exempt agencies, or delivers sugar to and for consumption in any territory or possession of the United States other than the District of Columbia may deliver such sugar without receiving stamps or certificates therefor. If certificates, stamps, or emergency acknowledgments were not received, the registering unit may apply to the board for a certificate in weight value equal to the amount of sugar delivered. The application shall be made on OPA Form No. R-315 which shall be accompanied by receipts, bills of lading, and such other detailed evidence including affidavits as substantiates such deliveries. In a proper case the board shall grant the application.

(b) The parsons and agencies included within the provisions of this section are the Army, Navy, Marine Corps, or Coast Guard of the United States, and the Food Distribution Administration, Maritime Commission, War Shipping Administration and any government agency or other person when such government agency or person, acquires sugar for export to and

<sup>&</sup>lt;sup>13</sup> 8 F.R. 7107, 10079, 12796, 15378, 16115.

consumption or use in any foreign country or in any territory or possession of the United States, other than the District of Columbia.

(c) The following persons and agencies are also included within the provisions of this section: Panama Canal, Civil Aeronautics Authority, National Advisory Committee for Aeronautics, and Office of Scientific Research and Development.

(d) Allotments of sugar for the Veterans' Administration and the Coast and Geodetic Survey will be granted in accordance with the provisions of General Ration Order 5.

§ 1407.183b Ration banking by certain airplane operators. An airplane operator who has been allowed an operating inventory under General Ration Or-

der 5 may open an account for each of his offices at which he regularly purchases sugar for use as planes' stores.

§ 1407.184a Deliveries of sugar to Army Exchanges, Post Exchanges, Ships' Service Departments Ashore and similar agencies. (a) Sugar may be delivered to and accepted by Army Exchanges, Post Exchanges of the Marine Corps, Ships' Service Departments Ashore of the Navy and Coast Guard, commissary stores and Ships' Service Departments of the Training Organization of the War Shipping Administration, and other similar activities designated by the respective exempt agencies, only in exchange for checks equal in weight value to the sugar delivered. Army Exchanges, Post Exchanges, Ships' Service Departments Ashore, commissary stores and Ships' Service Departments of the Training Organization of the War Shipping Administration, and similar designated activities are authorized to open accounts, but may not open exempt accounts of the type described in General Ration Order 3B. Certificates to be deposited by Army Exchanges, Post Exchanges, Ships' Service Departments Ashore, commissary stores and Ships' Service Departments of the Training Program of the War Shipping Administration, and similar designated activities to establish ration credits shall be issued to them in accordance with arrangements between the Office of Price Administration and the Army Exchange Service of the United States War Department, the Bureau of Naval Personnel of the Navy Department, the Marine Corps, the Coast Guard, and the Training Organization of the War Shipping Administration. (The issuance of certificates to establish ration credits for Army Exchanges, Post Exchanges, Ships' Service Departments Ashore, commissary, stores and Ships' Service Departments of the Training Organization of the War Shipping Administration and similar designated activities for the delivery of sugar for institutional use is governed by General Ration Order 5.)

(b) Ration credits may be transferred by check without the delivery of sugar between accounts maintained for Army Exchanges, between accounts maintained for Post Exchanges of the Marine Corps, between accounts maintained for Ships' Service Departments Ashore of the Navy, between accounts maintained for Ships' Service Departments Ashore of the Coast Guard, and between accounts maintained for commissary stores and Ships' Service Departments of the Training Organization of the War Shipping Administration.

(c) During March 1943, Army Exchanges, Post Exchanges, Ships' Service Departments Ashore and similar designated activities, may, if checks are unavailable, use emergency acknowledgments to acquire sugar, in the way described in § 1407.182 (c). An emergency acknowledgment given under this section may not be used by the person to whom it was given to acquire sugar, but must be exchanged for a check at the agency activity designated thereon.

§ 1407.185a Deliveries of sugar by Army Exchanges, Post Exchanges, Ships' Service Departments Ashore. (a) Army Exchanges, Post Exchanges, Ships' Service Departments Ashore, Sales Commissaries, Commissary Stores, and any other activity of the Army, Navy, Marine Corps or Coast Guard and the Food Distribution Administration may deliver sugar only upon the receipt of stamps, certificates or checks in the same way that retailers or wholesalers are permitted to make deliveries of sugar under this order. However, they are not required to register as retailers or wholesalers.

(b) All stamps, certificates or checks so received by Army Exchanges, Post Exchanges, Ships' Service Departments Ashore, Sales Commissaries, Commissary Stores or any other activity of the Army, Navy, Marine Corps or Coast Guard or by the Food Distribution Administration, shall be deposited in the accounts maintained for such agencies.

#### ENFORCEMENT

§ 1407.201 Prohibited sale. (a) No person shall sell or otherwise dispose of any sugar with knowledge, or under circumstances from which it might reasonably appear to such person, that it is the intention of the person to whom the sugar is sold or otherwise disposed of, to use it, or to resell it or otherwise dispose of it to another person for use in violation of the laws of the United States, including use in the manufacture of distilled spirits, wines, or fermented malt liquors in violation of the Internal Revenue Laws of the United States.

(b) A sale or other disposition of sugar by a person (hereinafter called the transferor) to any other person, following receipt by the transferor of written notice from the Office of Price Administration that such other person has used sugar in the manufacture of distilled spirits, wines, or fermented malt liquors in violation of the Internal Revenue Laws of the United States, shall be prima facie evidence of a willful violation of this section by the transferor.

§ 1407.202 Unlawful use or possession. No person shall at any time either use or have in his possession or under his control or take delivery of any sugar, certificates, stamps or War Ration Books, where such possession, control, or acquisition is in violation of this order.

§ 1407.202a Certificates are property of the Office of Price Administration. All certificates remain the property of the Office of Price Administration, whether or not they have been issued, and the Office of Price Administration may suspend, cancel, or revoke any certificate issued if it finds it in the public interest to do so.

§ 1407.204a Saving clause. No provision of any amendment to this order (unless such amendment otherwise expressly provides) effecting the dissolution of registering units, resulting in the amendment or cancellation of registrations, placing persons or establishments once subject to this order under another order, or removing limitations or restrictions heretofore imposed by this order from persons, establishments, or registering units shall be deemed to (1) excuse the failure to discharge or perform any duty or obligation or (2) condone any acts or omissions to act, by any person, establishment, or registering unit prior to the effective date of such amendment.

§ 1407.205 Prohibited deliveries. Notwithstanding the terms of any contract, agreement or commitment, regardless of when made, on and after June 19, 1942, except as otherwise expressly permitted in this order, deliveries of sugar shall be made only by and to, and accepted only by and from institutional user establishments registered under General Ration Order.5, registered consumers, registering units, industrial users registered on OPA Form R-1200, and primary distributors.

## EFFECTIVE DATE

§ 1407.221 Effective date of Revised Ration Order 3. Revised Ration Order 3 shall become effective February 5, 1944.

#### SCHEDULES

§ 1407.241 Schedule A: Tables of sugar allowance for determination of provisional allowance.

TABLE, I—CANNED VEGETABLES

·		
Product	Size ol unit	Maxi- mum sugar allowanco per unit in pounds
Bects	21/2's 21/2's 21/2's 21/2's 21/2's 24/12 oz. 21/2's 24/2's	0, 32 10 40 1, 25 .80 .60 1, 10 No sugar 2, 00

FR 1 75 T 75	TT	CANNED	CONTRACT	ANTE	TOTTIM	THICKE
TARLE	71~	CANNED	FRUITS	AND	FRUIT	JUIGES

Product	Size of unit	Maximum sugar allowance per unit in pounds for packing seasons end- ing prior to July 21, 1943	Maximum sugar allowance per unit in pounds for pocking sectors not ending prior to July 21, 1913.
Each fruit juice	24/2½'s	90 percent of average quantity of sugar used per unit of all grades (converted into 24/23/25) during 1941. 90 percent of average quantity of sugar used per unit of all grades during 1941.	100 percent of average quantity of sugar used per unit of all grades (converted into 24,33%) during 1941.  50 percent of average quantity of sugar used per unit of all grades during 1941.

TABLE III—CONVERSION FACTORS FOR CASE EQUIVALENTS FOR USE IN TABLES I AND II OF THIS SCHEDULE

nver- n fac- rs to se of 1/2's	Conversion fac- tors to case of 24/234's
440	21/2723
1.63 .74 .72 .82	1.12 .51 .57 .69
	1, 63 .74 .72 .82

#### TABLE IV-FROZEN FRUIT

	Unit	Quantity of sugar allowed in pounds per unit of fruit			
Product	(quan- tity of fruit)	Packed in containers of 30-lb, weight or greater	Packed in wrapped packages		
Apples and crabapples Applesauce	তৃত্ব ভাতৰত্ত্ৰ্বত্তিবাৰ	- 1 None 1 1 1 1 1 1 1 1 1 1 1 2 None None 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1			

No sugar may be allowed to pack any of the above fruits in puree form in containers of less than 30-pounds weight.

TABLE V-CANNED OR CURED MEATS, FISH, AND POULTRY REGARDLESS OF HOW PACKAGED

Size of unit	Quantity of sugar allowed, in pounds. per unit of product
100 pounds (unprocessed). 100 pounds (unprocessed). 100 pounds (unprocessed). 100 pounds (unprocessed).	1.30 1.00 1.00 1.00
	100 pounds (unprocessed). 100 pounds (unprocessed). 100 pounds (unprocessed). 100 pounds (unprocessed).

TABLE V-CANNED OR CURED MEATS, FISH AND POULTRY REGARDLESS OF HOW PACKAGED—Continued

Product	Ske of unit	Quantity of sugar allowed, in pounds per unit of product
Dry sausage	100 paunds (unprec-	.75
Fresh sausage and baked loaves.	ecod). 100 pounds (unprec- ecod).	.ω
Lamb tengue and lunch tongue.	100 pounds (anprec-	.75
Each type of pickled or cured fish, shellfish,	100 pounds (unprecented).	Ø
or poultry product.	100 pounds (unprece-	1.60
All others	***************	None

170 percent of amount used per unit of same preduct during 1941.

#### TABLE VI-BEE FEEDING

The provisional allowance for feeding bees shall be 10 pounds per calendar year for each colony of bees. For the purposes of this table, the period from April 23 to December 31, 1942, shall be deemed to be a full calendar

TABLE VII—JAMS, JELLIES, PRESERVES, MARMALADES, AND FRUIT BUTTERS (INCLUDING IMITATIONS)

* Product	Type of fruit	Quantity of sugar allowed, in pounds, per pound of finished product ,
Jams, felly, preserves, or marmalado, in- cluding imitations (pounds).	Fresh or canned fruit, fruit juices, tomators, or fruit frozen without sugar. Fruit frozen at ratio of fruit to sugar of: 3 to 1 4 to 1 5 to 1 6 to 1 Not mede with fruit, fruit juice, or tomators.	.er .so .sa .sa .sa .sa .sa .sa .sa
Fruit butter, includ- ing imitations (pounds). All others	Fresh or dried fruit	,32 None

For each yound of finished product the smaller of the two following amounts: (1) 100 per cent of average amount of sugar used per pound of same product during 1941; (2) .67 pounds of sugar.

### TABLE VIII-COOKED BEANS (CANNED, BOTTLED, FROZEN, OR DEHYDRATED)

Product	Size of unit	Quantity of sugar allowed, in pounds, per unit of dried beans used
Cooked beans (canned, bottled, frozen, or debydrated).	Each 1001bs, ofdried beans used	160 percent of average quantity of sugar used in 1841 in producing cooked beans (canned, bottled, frozen, cr dehydrated).

## TABLE IX-TOMATO CATSUP AND CHILI SAUCE

Product	Size of unit	Maximum sugar allowance per unit in pounds
Tomato catsup or chill souce	6/16's (glass)	19675 of average quantity of sugar used per unit of all grades (converted into \$410 glass) during 1841.

TABLE X-CONVERSION FACTORS FOR CASE EQUIVALENTS FOR USE IN TABLE IX OF THIS SCHEDULE

> Conversion factors to case of 6/10's (glass)

Size of case: Case of 12/12 oz. (glass)\_\_\_\_\_\_ 0.22 Case of 24/14 oz. (glass)\_\_\_\_\_\_.51

§ 1407.242 Schedule B: Allotment percentages for industrial users.

[For periods commencing on or after Jan. 1, 1944] Percentage of

1. Bread and other bakery products... 2. Baking mixes, including batters....

sugar base 20 Percentage of sugar base

- 3. Breakfast cereals; and cereal paste products such as spaghetti and macaroni.
- 4. Ice Cream; ices; sherbets; frozen custards; and mixes used for these purposes.
- 5. Condensed milk in containers of one gallon or less; cheese; other dairy products not included in other items; frozen eggs, and augared egg yolks...
- 6. Bottled beverages (alcoholic and nonalcoholic); flavoring and coloring extracts; fountain syrups; drink mixes; brandled fruits; maracchino cherries; fountain fruits; pickled fruits and vegetables; relishes \_\_\_.

80

	Percentag		State and County	1	State and County	
# ************************************	sugar bas		Arkansas: F Baxter	ercent 10	Idaho: Pe Bannock	ercent
7. Mayonnaise and salad d		80	Desha	10	Elmore	15 60
8. Products fried in fat (exercise ery products) such as			Jefferson	15	Jerome	20
tato chips		80	Lonoke	15	Kootenai	
9. Candy; chocolate; cocoa			Pulaski	20	Illinois:	••
gum		80	Sebastian	15	Champaign	10
10. Sandwiches		80	California: Alameda	20	Du Page Lake	10 10
11. Dehydrated and dried			Contra Costa	80	Madison	10
soup mixes		80	Inyo	50	St. Clair	10
12. Canned and bottled food			Kern		Winnebago	10
cluded in other iten		80	Los Angeles		Indiana:	
• syrup  13. Experimental, educations		60	Marin		Bartholomew	40
stration, and testing		80	Monterey		Clark	30
14. Pharmaceuticals (inter		•	Napa Orange	15 20	Floyd Johnson	15 10
lergy foods; vitamin o		٠ _	Riverside		Lake	10
drops		100	Sacramento		Marion	10
15. Pharmaceuticals (extern		100	San Bernardino	20	Porter	10
16. All other classes: Food_		80	San Diego	40	Scott	10
17. All other classes: Non-	lood	80	San Francisco		Starke	20
(0.440 m.040 m.7. 7.7. m.	m		San Joaquin		Tippecance Vanderburgh	10 10
§ 1407.243 Schedule C:	_		San Luis Obispo San Mateo		Iowa:	10
ration periods and weight	value of star	nps	Santa Barbara		Clayton	15
valid therein.	-		Solano		Des Moines	20
			Sutter		Kansas:	
`		g	Ventura	10	Douglas	80
		1 de	Yuba	40	Finney	20
· Ration period	Stamp valid during ration	7 8	Colorado:	* .	Geary	20
rigion period	period	eight val of stamp	Arapahoe	10	Johnson	30 10
		90	Denver Eagle	10	Saline	50
			El Paso	. 40 . 30	Sedgwick	30
		Lb.	Jefferson	10	Seward	20
No. 1 (May 5 to May 16, 1942) No. 2 (May 17 to May 30, 1942) No. 3 (May 31 to June 13, 1942)	Stamp No. 1	1 1	Otero	10	Wyandotte	10
No. 2 (May 17 to May 30,1942) No. 3 (May 31 to June 13,1942)	Stamp No. 2 Stamp No. 3	1 1	Prowers		Kentucky:	
		] 1	Pueblo	10	Christian	20
No. 5 (June 28 to July 25, 1942)	Stamp No. 5 Stamp No. 6	2 2 2	District of Columbia	20	Hardin	30
No. 5 (June 28 to July 25, 1942) No. 6 (July 26 to Aug. 22, 1942) No. 7 (July 10 to Aug. 22, 1942) No. 8 (Aug. 23 to Oct. 31, 1942)	Stamp No. 7	2	Florida:		JeffersonMadison	15 10
No. 8 (Aug. 23 to Oct. 31, 1942)	Stamp No. 8	3	Bay Bradford	90	Union	40
No. 9 (Nov. 1 to Dec. 15, 1942) No. 10 (Dec. 16, 1942 to Jan. 31,	Stamp No. 9 Stamp No. 10	8	Brevard	120 20	Louisiana:	
1943).		١.	Broward	30	Allen	20
No. 11 (Feb. 1, 1943 to Mar. 15, 1943).	Stamp No. 11	- 3	Clay	30	Beauregard	40
No. 12 (Mar. 16, 1943 to May 31,	Stamp No. 12	5	Dade	- 20	Calcasieu	80
1943). No. 13 (June 1, 1943 to August 15,	Stamp No. 13	5.	Duval	30	East Baton Rouge	30
1943).			Escambia	20	Grant	20 20
No. 14 (August 16, 1943 to No-	Stamp No. 14	5	Franklin Gulf	140	La Salle	15
vember 1, 1943) No. 15 (Nov. 1, 1943, to Jan. 15,	Book Four, Sugar Stamp 29	5	Highlands	10 - 90	Natchitoches	30
1944)	Sugar Stamp 29 Book Four,	5	Hillsborough	20	Orleans	15
No. 16 (Jan. 16, 1944 to March 31, 1944)	Sugar Stamp 30		Indian River	- 15	/ Ouachita	10
, 3		1	Lee		Rapides	60
	a De Claum	tion	Leon		Sabine	20
§ 1407.244 Schedul			Martin Monroe	40 60	St. Mary Vernon	10 100
which have had a substan			Okaloosa		Maine:	100
population and the perce	ntage jor e	acn	Orange		Cumberland	15
such county.		•	Palm Beach		York	10
Percentage for periods con	nmencina on	or	Pinellas		Maryland:	
after Jan. 1, 1			St.Lucie		Anne Arundel	10
State and County			Sarasota		Baltimore City	16
	Pero	+	Georgia:		Baltimore	20
Alabama: Baldwin		20	Bibb	40	Calvert	15
Calhoun		30	Camden	10	Cecil	15 20
Colbert		10	Catoosa	30	Harford	30
Dale		70	Chatham	20	Howard	10
Etowah		20	Chattahoochee		Montgomery	30
.Jefferson		10	Clarke	15	Prince Georges	20
Madison		10	Columbia	15	St. Marys	20
Mobile		70 10	Decatur		Massachusetts:	**
MontgomeryRussell		15	Dougherty	15	Barnstable	30
Talladega		20	Fulton	20	Nantucket	20
Arizona:			Glynn		Calhoun	15
Cochise		40	Houston		Ohippewa	15
Gila		20	Lowndes		Macomb	30
Greenlee		80	McIntosh		Muskegon	10
Maricopa		20	Muscogee		Washtenaw	20
Mohave		15 10	Newton		Wayne	10
Navajo Pima		30 -	Richmond		Mississippi: Amite	20
Pinal		50	Stephens		Forrest	70
Yuma		60	Whitfield	10	Grenada	60

State and County		State and County	1	State and County
Mississippi—Continued.	Percent		rcent	Texas—Continued. Percent
Harrison		Delaware	10	Taylor 60 Tom Green 20
Hinds		Lebanon	10 20	Val Verdo
JacksonWilkinson		Mercer	20	Victoria 20
Missouri:		Kent	. 15	Ward
Clay	10	Newport	40	Webb 15
Jackson		Washington	30	Wichita10
Newton		South Carolina:		Utah:
Phelps		Aiken	15	Carbon 10
Pulaski	50	Beaufort	10	Davis
St. Louis		Charleston	40	Millard
St. Louis City	10	Dorchester	10	Tooele60
Montana: Stillwater	20	Greenville	10 30	Utab10
Nebraska:	20	Richland	10	Weber30
Adams	15	Spartanburg	10	Virginia:
Box Butte		South Dakota:	10	Arlington 40
Hall	10	Minnehaha	10	Dinwiddle40
Hooker		Tennessee:		5 Elizabeth City 30
Lincoln	10	Blount	.15	Fairfax 40
Nėvada:		Cannon	10	Giles
Clark		Coffee	40	Henry 10 James City 15
Mineral		Davidson	15	King George 20
Nye		Franklin	15	Montgomery50
Washoe New Hampshire:	10	Henry	15	Norfolk 100
Rockingham	10	Johnson	10	Nottoway 60
Morr Toronte		Loudon	10	Prince William 30
Burlington	10	Montgomery	30	Princess Anne 50
Monmouth	10	Polk	50	Pulaski 20
New Mexico:		Rutherford	20	Warwick 150
Bernalillo	30	Shelby	10	YorkE0
Chaves		Sullivan	20	Independent Cities
Curry		Trousdale	10	-
De Baca		Wilson	10	Alexandria 50
Eddy	15	Texas:	P/A	Bristol 50
Grant	10	Bastrop	70	Buena Vista 30
Luna	50	Bell	69 30	Charlottesville10
McKinley	30	Bexar	30	Danville 89
Otero	20	Bowie	60	Fredericksburg 30
New York: ~		Brazos	20	Hampton 20 Hopewell 20
Nassau		Brewster.	20	Hopewell 20 Martinsville 10
Seneca		Brown	69	Newport News 83
Tompkins	15	Callahan	10	Norfolk 40
North Carolina: Cabarrus	. 10	Childress	20	Petersburg 10
		Cochran	30	Portsmouth20
Craven	40	Comal	10	Radford40
CumberlandDurham	20	Cooke	70	Richmond20
Graham	70	Coryell	30	South Norfolk 20
. Hoke		Dallam	30	Suffolk20
Moore		Dallas	15	Williamsburg 50
New Hanover	60	Denton	15	Washington:
Onslow	100	Dimmit	15	Clark 70
Pasquotank	20	El Paso	20 30	Franklin20
Richmond		Galveston	10	King20
Robeson	15	Gregg	15	Kitsap100
Ohio:		Harris	15	Macon 10 Plerce 20
Franklin		Hidalgo	10	Spokane15
GreeneHamilton		Hockley	10	Thurston15
Lake		Howard	40	West Virginia:
Montgomery		Hutchinson	20	Clay15
Ottawa		Jefferson	30	Kanawha10
Portage		Kinney	60	Wicconsin:
Summit		Kleberg	20	Dane10
Trumbull		Lamar	15	Dcor10
Wood		Lampasas	10	Monroe 40
Oklahoma:		Lubbock	20	Soul: 10
Cleveland		McLennan	15 40	Wyoming:
Comanche		Matagorda	20	Laramie20
Mayes		Mayerick		Park
Muskogee		Medina	20	Note: All reporting and record-keeping
Oklahoma		Midland	40	requirements of this revised ration order have
Pittsburg		Moore	100	been approved by the Bureau of the Budget in
Tulsa	50	Nolan	50	accordance with the Federal Reports Act of
Oregon:	40	Nueces	30	1942.
BentonClatsop		Oldham	10	
Deschutes		Orange	120	Issued this 2d day of February, 1944.
Jackson		Palo Pinto	60	CHESTER BOWLES,
Linn		Potter	20	Administrator.
Multnomah		Randali	10	
Tillamcok	15	Reeves	30	[P. R. Doc. 44-1658; Filed, February 2, 1944;
IJmatilla		Tarrant	20	4:46 p. m.] -

PART 1382—HARDWOOD LUMBER [RMPR 97,1 Amdt. 12] ...

SOUTHERN HARDWOOD LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Revised Maximum Price Regulation No. 97 is amended in the following re-

In § 1382.112 (b), subparagraph (39) is deleted.

This amendment shall become effective February 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th o Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of February 1944.

CHESTER BOWLES, Administrator.

[F. R. Doc. 44-1659; Filed, February 2, 1944; 4:46 p. m.]

> PART 1382—HARDWOOD LUMBER [MPR 146,3 Amdt. 17]

#### APPALACHIAN HARDWOOD LUMBER

A statement of the considerations involved in the issuance of this amendment. issued simultaneously herewith, has been filed with the Division of the Federal

Maximum Price Regulation No. 146 is amended in the following respect:

In § 1382.11 (b), subparagraph (26) is

This amendment shall become effective February 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681) ---

Issued this 2d day of February 1944. CHESTER BOWLES,

Administrator.

[F. R. Doc. 44-1660; Filed, February 2, 1944; 4:46 p, m.]

> PART 1382-HARDWOOD-LUMBER [MPR 155,3 Amdt. 13]

## CENTRAL HARDWOOD LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 155 is amended in the following respects:

1. In § 1382.61 (b), subparagraph (24) is deleted.

2. In § 1382.64 (b), subparagraph (36) is deleted.

This amendment shall become effective February 8, 1944.

\*Copies may be obtained from the Office of

\*8 F.R. 13007, 14343, 15430, 16740, 17414.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 2d day of February 1944. CHESTER BOWLES. Administrator.

[F. R. Doc. 44-1661; Filed, February 2, 1944; 4:46 p. m.]

PART 1499-COMMODITIES AND SERVICES [Order 30 Under 3 (c) of GMPR]

METALS RESERVE CO.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, it is hereby ordered:

§ 1499.827 Maximum prices at which new commercial vehicles may be sold by the Metals Reserve Company. (a) The Metals Reserve Company may sell, offer to sell, or deliver the following new vehicles including equipment and spare tires and tubes at prices not to exceed the following applicable maximum

Type of vehicle	Make	Serial No.	Maxi- mum price
Trailer	Fruehauf	CTUOOIA	CO 750 70
	Fruehauf	SW9914 SW9920	\$2, 752, 39
Trailer	Fruehauf	SW9920	2,752.39
Trailer			2,752.39
Trailer	Fruehauf	SW9916	2,752.39
Trailer	Fruehauf	- SW9917	2, 752, 39
Trailer.	Fruehaui	SW9935	2, 752.39
Tráiler	Fruehauf	SW9927	2,752.39
Trailer	Fruehaui	SW9921	2, 752. 39
Trailer	Fruehauf	SW9918	2, 752.39
Trailer	Fruehauf	SW9928	2,752.39
Trailer	Fruehauf	- SW9924	2, 752, 39
Trailer	Fruehauf	SW9919	2,752.39
Trailer	Fruehauf	SW9926	2,752,39
Trailer	Fruehauf	SW9915	2,752.39
Trailer	Fruehauf	SW9913	2,752.39
Trailer.	Fruehauf	8W9925	2,752.39
Trailer	Fruehauf	SW 9929	2,752.39
Motor truck	GMO	CC-453-915	2, 333.82
Motor truck	GMO	OC-454-2246	2,333.82
Motor truck.	GMC	OC-454-1772	2, 333, 82
Motor truck	GMC	- CC-453-2667	2,338.82
Motor truck_	GMC	CC-453-2669	2,333,82
Motor truck	GMC	CC-452-2291	2, 338, 82
Motor truck	GMC	CC-452-2637	2, 338, 82
Motor truck	GMC	C€-452-2638	2, 333, 82
Motor truck	GMC	° CC-452-2639	2, 339, 82
Motor truck	GMC	CC-452-2607	2, 873, 82
Motor truck	GMC	COX-453-2483	2, 873, 82
			,,,,,,,,,,

(b) This Order No. 30 (§ 1499.827) may be revoked or amended by the Office of Price Administration at any

This Order No. 30 (§ 1499.827) shall become effective February 3, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of February 1944. CHESTER BOWLES, Administrator.

[F. R. Doc. 44-1664; Filed, February 2, 1044; 4:47 p. m.]

> PART 1340-FUEL [MPR 1201, Amdt. 84]

### BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 120 is amended in the following respects:

Section 1340.224 is amended to read as

§ 1340.224 Appendix M: Maximum prices for bituminous coal produced in District No. 13. (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) Maximum prices for shipment to all destinations, for all uses (including railroad fuel and excepting smithing coal) by all methods of transportation except by truck or wagon from mines in Subdistrict No. 1.

PRICES AND SIZE GROUP NUMBERS

Subdistrict No. 1 (Alabama) coals produced at any and all mines in the following price group num-	All lump and double- screened egg coals (size groups 1 to 5, incl.)		chestnut oups—	sultant	à and ro- s over 3", ups—	Resulta sorden and u groups	ings 3" nder, sizo
bers.	Washed or raw	6, 8, 10, washed	7, 9, 11, raw.	12, 14, 15, 10, washed	13, 19, 20, 21, raw	17, 18, washed	22, 23, raw
1	350 365 365 375 420 415 560 690 690 480 550 375 450 380 550	350 375 410 415 450 550 550 550 440 380 500	340 355 365 400 405 470 500 540 445 490 370 490	345 365 376 400 415 390 439 460 405 410 380 430 380 410	335 385 385 385 405 425 426 426 426 426 426 426 426 426 426 426	340 305 305 395 405 370 426 420 395 395 420 350	330 355 355 380 395 366 417 410 386 386 386 386 380 370 370

The maximum prices for blacksmithing coal shall not exceed 560 cents per net ton.

Price Administration.

<sup>&</sup>lt;sup>1</sup>8 F.R. 13728, 15430, 17375. <sup>2</sup>7 F.R. 3776, 4179, 4852, 5520, 6053, 6998, 7600, 7747, 8198, 8350, 8384, 8948; 8 F.R. 3056, 5479, 9998, 14984, 15737, 16063, 17297.°

<sup>· 14560, 15256, 15455, 15466, 16280, 16419,</sup> 16738, 16998.

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(2) Maximum prices for shipment by truck or wagon to all destinations for all uses from mines in Subdistrict No. 2.

1, 2, 3 all lump and double-serconed egg coals

Prices and Size Group Numbers

13, 14 sereen-		280	tons, for all		13, 14 Serceulps 34", and smaller	222228 88888 88888 88888 88888 88888 88888 8888
10, 11, 12 serconings larger than	34" but not exceeding 2"	320	II déstina	•	10, 11, 12 Serechings Jarper than 34" but not exceeding 2"	, , , , , , , ,
7, 8, 9 mine run and	over 2"	340	vagon to a	กล	7, 8, 0 Mino run and resultants over 2'	376 376 376 376 376
double-	nut, pea, and stoker	350	truck or r	, JROUF NUMBE	4, 5, 6 All double. Sereoned nut, pea, and stoker	455 455 455 410 410 410
1, 2, 3 all lump and double-	serconed egg coals	400	thall be 635 con	ct No. 4. Prices and Size Group Numbers	All lump and doublo. Screened egg coals	2 2 2 2 2 2 3 3 3 3 4 3 3 3 3 3 3 3 3 3
Subdistricts Nos. 3 and 5 (Tonn. and Gn.) Coals produced at any and all	mines in the following price group numbers	io Exception Mino Index No. 92	The maximum prices for smithing coal shall be 636 cents per net ton. (6) Maximum prices for shipment by truck or wagen to all destinations, for all	uses from mines in Subdistrict No. 4. Phoes an	Subdistrict No. 4 (Tenn., Ga., and White County, Tenn.) Coals produced at any and all mines in the following truck price group numbers	8.00 mines in Wille County, Tenn.
		ungs 37,	22, 23, rdw	, 365 405 405 405 405 405 405 405 405 405 40	388 <b>388</b>	- - - - - - - - - - - - - - - - - - -
	Rosultants	soroonings and under, groups—	17, 18, washed	1993	372 372 400 400 400	\$\$\$\$\$\$\$
-	04.0	sultants over 3", size groups—	13, 10, 20, 21, raw	430 415 425	35 35 S	\$\$\$\$\$\$\$\$\$
, , su	Minority	sultant sizo gro	12, 14, 15, 16, washed	440 255 255		÷
UP NUMBE	- /	ohestnut oups—	7, 9, 11, raw	455 455 55 55 55 55 55 55 55 55 55 55 55	255 BES	3252553
Size Gro		Nut and chestnusise groups	6, 8, 10, washod	476 476 485	255 255 255 255 255 255 255 255 255 255	\$65 <u>8488</u>
Prices and Size Group Numbers	All lump and double-	serconed egg coals (size groups 1 to 5, incl.)	Washed or Raw	625 605 495	, 200 200 200 200 200 200 200 200 200 20	388888888888888888888888888888888888888
	~	(Alabama) coals ny and all mines ing truck prico	Prout rumpers	-66	nas Index No. 3 Index No. 4	Aline Index Nos. 72, 21, 12, 122.  Aline Index Nos. 18, 21.  Mine Index No. 17.  Mine Index No. 1615.  Mine Index No. 1615.

numbers referred to in subparagraphs (1) and (2) of this paragraph.(b). Specific descriptions of size group

I to 6, inclusive... All single-executed lump coals and all double-executed raw, washed or air-eleganed egg Description Size Group Numbers:

call, potton of call, total of call of cal 8 and 10. 7, 9 and 11

il double-cercence rav, nut and chestnut coals, top also not execeding 13, 14, 15 and 16...

or air-oleaned mino run, modified by the removal of any inter-mediate size or sizes; Washed or air-cleaned straight mine run; no fines removed, Washed mino run resultants larger than 3"; no fines removed, no fines removed. All washed or alr-eleaned

Size Group Numbers:

13, 19, 20 and 21\_\_ Raw straight mine run; no fines removed. Raw mine run, modified by the removal of any in-termediate size or olees; no ance removed. oultants larger than 3"; no fines removed.

numbers referred to in subparagraphs (4) and (5) of this paragraph (b), including White County, Tenn.

Description

Size Group Numbers:

alzo larger than 2"

4 to 6, Inclusive....

(8) Specific descriptions of size group

ants and sercenings, top size not exceeding alzo not execeding 3". All raw mine run result-All washed or air-eleaned mine run resultants and 18. 22 and 23

11

rallroad fuel and excepting smithing except by truck or wagon from mines in Subdistricts Nos. 3 and 5. all destinations, for all uses uncluding coal) by all methods of transportation, Maximum prices for shipment to  $\mathfrak{E}$ 

Special price instruction. The prices listed herein are for ray coals. Maximum prices for coals mechanically eleaned or washed shall be those listed herein, plus 10 cents per ton.

Georgia; 16 cents per net ton for coals produced at and shipped from a mine in Alabama.

mine identified by mine index number shall first determine the price group number applicable to the mine. He shall then use the maximum prices applicable

7 to 9, inclusive.....

127, 155, 165, 215, 236, 333, 331, 573, 616, 621, 776, 1123, 1133, 1150, 1236, 1236, 1274, 1275, 1238, 1336, 1390, 1391, 1393, 1394, 1396, 1396, 1396, 1396, 1396, 1397, 1406, 1410, 1411, 1413, 1477, 1420, 1437, 1431, 1446, 1461, 1462, 1631, 1677, 1631, 1677, 1631, 1677, 1631, 1677, 1631, 1677, 1631, 1677, 1677, 1677, 1677, 1677, 1677, 1677, 1677, 1677, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, 1776, . 54, 82, 104, 1 1, 573, 616, 6 249, 1374, 13 Mine Index Nos. 30 through 54, 6 77, 155, 165, 215, 236, 363, 331, 57 15, 1123, 1133, 1156, 1236, 1249,

A charge of no more than \$2.50 per car may, be made if more than one size is shipped in the same railroad car.

(a) Identification by mine index number of mines in the price group numbers specified in subparagraphs (1) and (4) of this paragraph (0). Following is a statement on the mines in each such price group. A seller of coal produced at a key to the mines in the same price group number, as set forth in this paragraph (b), unless otherwise specifically pro-vided herein. All double-cercence
Int, pea, and steker
couls, top size not excecding 2".

Straight mine run; no
fines removed. Mine
run, medliked by the
removal of any intermediate size ortalizes
no fines removed. All
mine run resultants
inter than 2"; no
fines removed. 1 to 3, inclusive..... All single-cereen lump coals and all doublecercen egg coals, top

waxing treatment to allay dust or prevent freezing shall not exceed: 10 cents per net ton, on coals produced at and shipped from a mine in Tennessee or 10 to 12, inclusive... Screenings, larger than 24" but not exceed-(7) The charge for a chemical, oil or

sergenings, top s not exceeding 34".

Screenings,

13 and 14 .....

Mine Index Nos. 67, 68, 1465, 1492, 1690 are

in Price Group No. 2.

Mine Index Nos. 59, 61 through 66, 71, 72, Mine Index Nos. 59, 51 through 65, 71, 72, 73, 114, 115, 199, 283, 299, 310, 311, 313, 332, 357, 362, 371, 381, 383, 852, 1039, 1105, 1106, 1162, 1203, 1250, 1288, 1289, 1351, 1375, 1376, 1377, 1412, 1418, 1419, 1496, 1526, 1533, 1569, 1570, 1571, 1622, 1657, 1661, 1706, 1709, 1755, 1773 are in Price Group No. 3.

Mine Index Nos. 55, 56, 57, 70, 81, 142, 571, 641, 649, 668, 749, 751, 1136, 1137, 1224, 1231, 1256, 1261, 1278, 1293, 1396, 1436, 1437, 1438, 1439, 1440, 1453, 1464, 1470, 1484, 1502, 1510, 1546, 1635, 1742 are in Price Group No. 4.

Mine Index Nos. 74 through 78, 83, 113, 136,

141, 173, 193, 194, 198, 198, 213, 221, 229, 298, 141, 173, 193, 194, 196, 198, 213, 221, 229, 288, 301, 314, 317, 326, 339, 342, 356, 367, 385, 386, 390, 744, 1059, 1128, 1215, 1271, 1276, 1287, 1309, 1313, 1349, 1354, 1357, 1360, 1362, 1372, 1373, 1374, 1379, 1402, 1403, 1408, 1416, 1433, 1466, 1520, 1521, 1525, 1532, 1547, 1561, 1567, 1640, 1650, 1652, 1653, 1669, 1670, 1683, 1687, 1692, 1764, 1731, 1722, 1744, 1746, 1747, 1756 1693, 1704, 1721, 1722, 1744, 1746, 1747, 1756, 1757, 1758, 1759, 1767, 1769, 1786 are in Price Group No. 5.

Mine Index Nos. 1, 2, 7, 9, 10 through 15, 17, 29, 103, 111, 128, 130, 135, 139, 166, 171, 17, 29, 103, 111, 128, 130, 135, 139, 105, 111, 121, 121, 318, 509, 514, 564, 566, 568, 569, 624, 677, 678, 680, 683, 684, 686, 781, 804, 805, 808, 855, 902, 910, 984, 994, 1001, 1077, 1095, 1180, 1181, 1192, 1213, 1243, 1257, 1258, 1259, 1273, 1331, 1350, 1415, 1420, 1424, 1447, 1471, 1491, 1512, 1513, 1516, 1528, 1529, 1534, 1586, 1630, 1645, 1646, 1676, 1694, 1740, 1768, 1778, 1779, 1780, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1782, 1

1646, 1676, 1694, 1740, 1768, 1778, 1779, 1780, 1786 are in Price Group No. 6.

Mine Index Nos. 16, 18, 19 through 24, 106 through 110, 121, 122, 123, 124, 133, 144, 150, 151, 152, 153, 157, 182, 183 through 191,241,247, 249, 253, 404, 408, 411, 418, 421, 422, 424, 426, 427, 434 through 439, 450, 453, 455, 459, 460, 462, 466, 472, 480, 484, 485, 488, 489, 491, 492, 500, 519, 522, 538, 541, 557, 565, 570, 574, 577, 579, 581, 582, 583, 584, 586, 591, 592, 594, 595, 579, 581, 582, 583, 584, 586, 591, 592, 594, 595, 597, 600, 608, 609, 610, 612, 617, 622, 627, 629, 631, 632, 636 through 640, 643 through 648, 631, 632, 636 through 640, 643 through 646, 650, 657, 658, 664, 665, 670, 687, 763, 764, 765, 768, 780, 786, 790, 792, 793, 795, 838, 865, 867, 881, 897, 911, 922, 926, 949, 963, 965, 972, 985, 987, 1007, 1008, 1010, 1013, 1015, 1022, 1023, 1038, 1074; 1075, 1076, 1078, 1126, 1164, 1166, 1167, 1174, 1229, 1254, 1291, 1295, 1306, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1308, 1317 through 1330, 1333, 1334, 1369, 1381, 1383 through 1387, 1426, 1442, 1444, 1449, 1455, 1458, 1467, 1476, 1478, 1479, 1481, 1482, 1498, 1618, 1519, 1539, 1543, 1547, 1549, 1551, 1555, 1558, 1572 through 1576, 1578, 1583, 1587, 1604, 1607 through 1618, 1641, 1642, 1647, 1648, 1649, 1654, 1665, 1672, 1673, 1685, 1686, 1731 through 1735, 1777 are in Price Group

Mine Index Nos. 3, 4, 6, 8, 195, 359, 1599, 1623 are in Price Group No. 8.

Mine Index Nos. 5, 58, 69, 80, 222, 233, 262, 263, 266 through 271, 512, 517, 968, 1072, 1232, 1544, 1545, 1556, 1598 are in Price Group

(9) Identification by counties and seams of mines in the price group members specified in subparagraphs (2) and (5) of this paragraph (b). Following is a table of counties seams and price group numbers. A seller of coal produced at a mine from any seam in these counties shall first determine the price group number applicable to the mine, as indicated in this table. He shall then use the maximum prices applicable to the mines in the same price group number, ' as set forth in this paragraph (b), unless otherwise specifically provided herein.

County, seam, and price group number .

#### ALABAMA-SUBDISTRICT NO. 2

Bibb, Blue Gould, Clark, Gibson Gould, Thompson, Wadsworth, Woodstock, Youngblood, 2; all seams not named, 7.

Blount, Berry Mountain, 2; Black Creek and Taite Gap, 3; Underwood, 4; all seams not named. 7.

Cherokee, all seams, 5.

Cullman, all seams, 1.

De Kalb, Black Creek, Lookout Mountain and Payne, 1; all seams not named, 3. Etowah, all seams, 4.

Fayette, Corona, 5; Cobb, 6; all seams not named, 7.

Jackson, all seams, 5.

Jefferson, Black Shale, Buck, Clark, Gould, Harkness, Hartley, Helena, Helena No. 3, Henery Ellen, Leaf, Lower Helena, Ratliff, Thompson, Upper Gould and Wadsworth, 2; Black Creek and Jefferson, 3. Jefferson, Pratt and Pratt-America, 5;

America, Blue Creek, Harkness (Mine Index No. 751 only) and Nickle Plate, 6; Bragg, Gwin, Jagger, Lower Nunnally, Mary Lee, Mt. Carmel, Upper Helena, Upper Nunnally and all seams not named, 7.

Madison, all seams, 5.
Marion, all seams, 1.
Saint Clair, Helena, Henery Ellen (Mine Index No. 1556 only), and Wadsworth, 2;
Broken Arrow, Hammond, Harkness, and

Marion, 5; Henry Ellen, 7. Shelby, Buck, Clark-Sholson, Dogwood, Harkness, Helena, Maylene-Climax, Montevallo, Moyle, Underwood, upper Dogwood, and Wadsworth, 2; all seams not named, 7.

Tuscaloosa, Black Creek and Chambers, 1; Bowers, Carter, Johnson, Milidale, North River, Perkins, River View, Weaver, and Woodstock-North River, 3; Brookwood, Jagger, Milidale-Brookwood, and all seams not named, 7.

Walker and Winston, Black Creek, Blue Creek, and Jefferson, 1; Corona and Pratt, 5; America, 6, all seams not named, 7.

#### TENNESSEE-SUBDISTRICT NO. 4

Bledsoe, Battle Creek, 8; all seams not .

Franklin and Grundy, all seams, 9. Hamilton, Sewanee and Soddy No. 7, 9; all seams not named, 11.

Marion, Battle Creek, Top (Mine Index No. 814 only), 8; Bluff, Bolton, Etna, Etna No. 3, Etna No. 7, Sewanee, Sewanee No. 7, 9, and 10 and Soft Cotton, 9; all seams not named,

Rhea, Nelson, Nelson No., 2 and Nelson-Sewanee, 12; all seams not named, 11.

Sequatchie, Sewanee, Sewanee No. 2, 9; all seams not named, 11.

Van Buren, Battle Creek, 8; all seams not named, 9.

Warren, all seams, 9. White, all seams, 13.

GEORGIA-SUBDISTRICT NO. 4

Dade and Walker, all seams, 10.

This amendment shall become effective February 3, 1944.

(55 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9326, 8 F.R. 4681)

Issued this 1st day of February 1944.

CHESTER BOWLES, Administrator.

[F. R. Doc. 44-1614; Filed, February 2, 1944; 9:09 a. m.]

PART 1378—COMMODITIES OF MILITARY
SPECIFICATION FOR WAR PROCUREMENT AGENCIES

[MPR 157,1 Amdt, 12]

SALES AND FABRICATION OF TEXTILES, APPAREL AND RELATED ARTICLES FOR MILITARY PUR-

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and

17 F.R. 4273, 4541, 4618, 5180, 5716, 6004, 6424, 8948, 8 F.R. 3948, 7507, 16605, 17374.

filed with the Division of the Federal Register.

Maximum Price Regulation 157 is amended in the following respects:

1. Section 1378.2 (a) (3) is amended by inserting the phrase "or the Training Organization of the War Shipping Administration" following the word "Navy" in each of the two cases where the word

"Navy" appears in that subparagraph.
2. Section 1378.10 (a) (6) is amended by inserting the phrase "the Training Organization of the War Shipping Administration" following the phrase "the United States Maritime Commission,".

3. Appendix A is amended to read as follows:

APPENDIX A-MODIFICATION OF MAXIMUM PRICES FOR CERTAIN COMMODITIES AND TRANSACTIONS

In the event that the Office of Price Administration fixes a maximum price for 3.90 yard sanforized fine yarn shirting chambray in excess of 16 cents per yard, gross, then in the case of certain deliveries of shirts made from such chambray, the maximum price shall be the maximum price fixed by § 1378.3 plus an adjustment for the increased cost of chambray. The adjusted maximum price shall be applicable only on deliveries to the Department of the Navy or to the Training Organization of the War Shipping Administration during the period between December 11, 1943 and June 30, 1944, inclusive. The adjustment per dozen for the increased

cost of the chambray shall be an amount equal to the number of yards of chambray required to produce a dozen of the shirts multiplied by the difference between the net cost per yard of the chambray on the 16 cents per yard basis and the net cost per yard of the chambray at the new and higher maximum price.

This amendment shall become effective February 5, 1944.

(56 Stat. 23, 765; Pub. Law 151; 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of February 1944. CHESTER BOWLES,

[F. R. Doc. 44-1662; Filed, February 2, 1944; 4:47 p. m.]

Administrator.

PART 1389-APPAREL [MPR 506,1 Amdt. 1]

" STAPLE WORK GLOVES

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith, and has been filed with the Division of the Federal Register.\*

Maximum Price Regulation 506 is amended in the following respect:

Section 6 is amended to read as fol-

Sec. 6. Adjustable pricing agreements. Adjustable pricing agreements may be entered into notwithstanding the provisions of section 5, to the extent permitted by this section.

(a) When regulation fixes a ceiling price. In cases where this regulation fixes a ceiling price, a person may sell at that ceiling price, subject to an agree-

<sup>\*</sup>Copies may be obtained from the Office of Price Administration.

<sup>19</sup> F.R. 684. -

ment with the buyer to charge a higher price if it becomes the legal ceiling price by the time of delivery. But one must never charge a price which is higher than the maximum price in effect at the time of delivery. Moreover, unless specifically authorized by the Office of Price Administration, a person must not deliver or agree to deliver at a price which is to be adjusted upward in accordance with action by the Office of Price Administration after delivery.

(b) Where regulation does not fix a ceiling price. In cases where a ceiling price is not fixed by the regulation, a person must not make any contract or sale unless the price is expressly subject to adjustment in accordance with any action which may be taken by the Office of Price Administration. Moreover, unless specifically authorized by the Office of Price Administration, a person must not make any delivery until a ceiling price has been fixed by the Office of Price Administration.

(c) When specific authorization will be given. Specific authorization to deliver or agree to deliver at a price which is to be adjusted upward in accordance with action by the Office of Price Administration after delivery will be given only

where:

· (1) A request for the fixing or changing of a ceiling price has been filed; and

(2) The authorization is necessary to promote distribution or production; and
 (3) It will not interfere with the purposes of the Emergency Price Control Act

of 1942, as amended.

This authorization may be given by the Administrator or by any other official of the Office of Price Administration to whom the power to grant such authorization has been delegated, and may be given by order, letter or telegram.

This Amendment No. 1 shall become effective the 2d day of February 1944. (56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of February 1944.

CHESTER BOWLES,

Administrator.

[F. R. Doc. 44-1663; Filed, February 2, 1944; 4:47 p. m.]

Chapter XIII—Petroleum Administration for War

[Petroleum Directive 59 as Amended Dec. 1, 1943, Amdt. 1]

PART 1510—SUPPLY

PRINCIPAL PETROLEUM PRODUCTS IN DISTRICT
ONE

Section 1510.30 (Petroleum Directive 59, as amended December 1, 1943, (8 F.R. 15792)) is hereby amended by changing § 1510.30 (c) to read as follows:

§ 1510.30 District One supply program. \* \* \*

(c) Shipment of crude and principal petroleum products into and within District One. The subcommittee, after consulting with the Transportation and Refining Committees of District One, shall

prepare a suggested schedule, in collaboration with a staff representative of the Petroleum Administration for War designated for the purpose, assigning to original suppliers the duty of arranging for the shipment of crude petroleum to be imported for purposes other than refining, and principal petroleum products from origins outside District One to destinations within District One and arranging for intradistrict shipments from and to designated points. Principal petroleum products required for intradistrict shipment may be made available by the subcommittee, in collaboration with a staff representative of the Petroleum Administration for War designated for the purpose, to the original supplier who has been assigned the duty of making such shipment by assignment issued by the subcommittee and such principal petroleum products shall be transferred, unless the parties otherwise agree, by sale and purchase at a price mutually agreed upon by the parties but not to exceed the price as determined pursuant to § 1510.32, and the amount of such principal petroleum products shall, upon such assignment, be deducted from unassigned inventory at the point of origin and added to unassigned inventory in the area at point of destination. Insofar as practicable the suggested schedule shall be arranged to provide (1) each supply terminal area and supply area with the principal petroleum products required to meet the expected demand after providing for inventory changes . deemed advantageous to the overall supply position; and (2) for the efficient use of facilities and for shipment into District One of the maximum amount of crude petroleum and principal petroleum products. Subject to the foregoing, the duty of importing principal petroleum products shall be assigned as nearly as practicable among original suppliers, in proportion to their zone sales position. Principal petroleum products manufactured at a District One refinery shall be deemed-to have been imported by the refiner. Upon issuance of such schedule pursuant to § 1510.34 (c), each original supplier shall make every effort to increase the volume of products available for distribution within District One and shall perform the duties assigned to him, except that any original supplier may arrange to have another original supplier, willing to assume such responsibility, perform such duties, and notice of any such arrangement or any change or modification thereof shall be given immediately to the subcommittee. When in the opinion of the subcommittee and the original suppliers affected, the transfer of the ownership of a principal petroleum product at a supply terminal to another original supplier will facilitate the administration of this directive, the product shall be transferred without losing its character as unassigned inventory. Any such transfer, unless the parties otherwise agree, shall be by sale and purchase at a price mutually agreed upon by them but not to exceed the price as determined pursuant to § 1510.32. The Petroleum Administration for War shall, from time to time, acting through appropriate governmental agencies, ar-

range for necessary adjustments to be made in the use of transportation facilities when required to facilitate the carrying out of assignments made hereunder. In making such adjustments, consideration shall first be given to the carrying capacity available to each original supplier by tanker, pipe line, barge, or any form of transportation other than tank car, and insofar as possible, any original supplier's deficit of carrying capacity shall be made up by the allotment of tank cars. Wherever necessary the Petroleum Administration for War may arrange for the specific use of any transportation facility without regard to the provisions of any schedule issued in connection herewith. The Transportation Committee, District One, shall review the use of all supply terminals and transportation available for shipment of products into or within District One to determine whether the maximum efficient use (including the movement of loaded tank cars, return of empty tank cars in trainload lots, and the distribution of products from the supply terminals) is being attained, and in that connection such committee shall recommend to the persons, committees or subcommittees affected and the Petroleum Administration for War that such action be taken as will, in its opinion, improve the efficient use of transportation and increase the volume of principal petroleum products available for distribution in District One.

Section 1510.32 (Petroleum Directive 59, as amended December 1, 1943, (8 F.R. 15792)) is hereby amended by changing the first paragraph thereof, subparagraph (3) of §§ 1510.32 (a), and 1510.32 (c) to read as follows:

§ 1510.32 Maximum price formula. The terms of any purchase and sale made pursuant to §§ 1510.30 (c), 1510.31 (a) or (c), or 1510.33 (a) shall be negotiated between the parties thereto: Protided:

(3) If the product sold has been imported from an actual origin in District Three and the cost of transporting the product from the actual origin to the product from the actual origin to the point of delivery by the facilities used (including the substitute cost of intransit handling) is less than the total sum determined under the preceding subparagraph (2), such actual cost shall be used in lieu of the sum determined under such subparagraph (the actual origin and the cost of transportation and in-transit handling being determined in accordance with Petroleum Compensatory Adjustments Regulations No. 1, as amended, or revised).

(c) Sales made pursuant to this section shall not be deemed to be discriminatory. Sales between original suppliers made at or below the maximum price formula set forth in § 1510.32 (a) or determined in accordance with §\$ 1510.31 (d) or 1510.32 (b), and which are made pursuant to §\$ 1510.30 (c), 1510.31 (a), (c), or (d) or 1510.33 (a) shall not be deemed to effect any discrimination against any buyer (including any original supplier) to whom any other sale is made at any higher or different price.

Section 1510.33 (Petroleum Directive 59, as amended December 1, 1943, (8 F.R. 15792)) is hereby amended by changing § 1510.33 (a) to read as follows:

§ 1510.33 Inventory and sales adjustments-(a) Inventory adjustments. The subcommittee shall determine for each principal petroleum product in each zone each original supplier's share of the net inventory as of November 30, 1943, by multiplying the total net inventory for such zone by each original supplier's zone sales position percentage for the product for which the determination is being made. In any case where an original supplier's share of the net inventory is greater or less than his actual net inventory as of such date, the actual net inventory shall be adjusted, either by assignments of actual net inventories or by adjustments in the proportionate part of such principal petroleum product which such original supplier is or will be entitled to receive under § 1510.31 (c), or by a combination of both. If the product be transferred by assignment then, unless the parties otherwise agree, such product shall be transferred by sale and purchase at a price mutually agreed upon by the parties but not to exceed the price as determined pursuant to § 1510.32. The subcommittee in collaboration with a staff representative of Petroleum Administration for War, designated for the purpose may, prior to determining the final adjustments to be made in net inventory, determine preliminary adjustments, and the subcommittee may make assignments to carry such preliminary adjustments into effect subject to such limitations as may be imposed by the Petroleum Administration for War to prevent any exceptional and unreasonable hardship. The net inventory for each zone shall be determined as follows: The subcommittee shall obtain from each original supplier a report showing for each zone in District One, as of November 30, 1943, or as of the last day of the month in which this revised directive becomes effective, whichever time first occurs, (1) the total physical inventory of each principal petroleum product within each zone owned or controlled by such original supplier in all storage facilities having a gross storage capacity for principal petroleum products of 5,000 barrels or over; (2) the amounts of such inventories which are unavailable for distribution by reason of being tank bottoms, pipe line fills or are otherwise unusable; (3) the amounts of such inventories specifically set aside for delivery exclusively to the Army, the Navy, or the Foreign Economic Administration; and (4) a statement showing the amounts of each principal petroleum product then due to or from such original supplier in each zone as a result of loans and exchanges made with other original suppliers, and the names of the original suppliers from which or to which each of such amounts is due. Any portion of that inventory reported under (2) or (3) hereof, which subsequently becomes available for a use other than that for which it is earmarked, shall be promptly reported to the subcommittee by the owner thereof, and shall be transferred to unassigned inventory. Upon receipt of such reports, the subcommittee shall determine for each principal petroleum product in each zone the actual net inventory of each original supplier by deducting from such original supplier's total physical inventory, as reported under (1) hereof, the amount of unavailable inventory, as reported under (2) hereof, and the amount of inventory set aside for the Army, the Navy or the Foreign Economic Administration, as reported under (3) hereof, and by adding the net amount due to, or by deducting the net amount due from such original supplier as reported under (4) hereof. The total net inventory in each zone shall be deemed to be the sum of the net inventories in the zone of all original suppliers as determined hereunder. (E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687)

Issued this 17th day of January 1944. RALPH K. DAVIES, Deputy Petroleum Administrator for War.

[F. R. Doc. 44-1688; Filed, February 3, 1944; 11:09 a.m.]

[PAO 15, as Amended Feb. 3, 1944]

PART 1570-MATERIAL CONSERVATION; PIPE LINES, TERMINALS AND REFINING

The fulfillment of the requirements for the defense of the United States has created a shortage of materials necessary for the transportation and refining of petroleum for defense, for private account, and for export; and the following order is deemed necessary in the public interest, to promote the national defense, and to provide adequate supplies of petroleum for military and other essential purposes.

§ 1570.1 Petroleum Administrative Order No. 15-(a) Scope of this order. The provisions of this order shall be applicable to the use of material in "Petroleum Gathering and Movement" and "Refining" operations in the United States, its territories or possessions. This order does not apply to tank cars, tank trucks or railroad rolling stock, to tankers, barges or other mobile marine equipment, or to material to be used for "residential construction" or "multiple residential construction" as defined in Limitation Order L–41, issued by the War Production Board.

(b) Definitions. (1) "Petroleum Gathering and Movement" (defined as "Transportation" in Preference Rating Order P-98-b) means any operation directly incident to the transportation, movement, loading or unloading of petroleum other than natural gas.

(2) "Refining" means any operation directly incident to the processing, reprocessing, or alteration of petroleum, including but not limited to compounding or blending, but not including the extraction or recovery of natural gasoline or associated hydrocarbons.

(3) "Maintenance and repair" means (without regard to accounting practice):

(i) The upkeep of any structure, equipment or material in a sound working condition or the restoration or fixing of any structure, equipment, or material which has broken down or is worn out, damaged or destroyed.

(ii) Any other use of material not exceeding in material cost \$500 for any one complete operation which has not been subdivided for the purpose of coming within this definition.

(4) "Operating supplies" means any material other than material used for maintenance and repair which is essential to and consumed in "Petroleum Gathering and Movement" or "Refining" and which is normally carried by an operator as operating supplies or which is normally chargeable to operating expense, including among other items, chemicals, additives, or blending agents.

(5) "Laboratory equipment" means material or equipment used exclusively for the purpose of controlling, or investigating more effective methods of conducting, petroleum industry operations by means of research, technical, or control laboratories. This material or equipment shall not, however, include material for use in the construction of laboratory buildings or other structures.

(6) "Material" means any commodity, equipment, accessory, part, assembly, or

product of any kind,

(c) Restrictions on use of material. No material may be used in "Petroleum Gathering and Movement" or in "Refining" unless permission to use material is granted by provisions of this order which follow below.

(d) Permitted uses of material. Material may be used in "Petroleum Gathering and Movement" or in "Refining":

(1) For maintenance and repair purposes, as operating supplies or for laboratory equipment or its installation, notwithstanding any other provision of this paragraph (d).

(2) For the construction, installation, or extension of (or any other similar use of material in connection with) a crude oil gathering line from the first valve on the discharge side of the lease or field shipping tank or battery where petroleum is first gauged to any other 'Petroleum Gathering and Movement" facility or any "Refining" facility, if:

(i) The material cost for any one complete operation is \$5,000 or less; and

(ii) The cost of material originally obtained for maintenance and repair purposes through the use of priorities assistance, used in any single operation, does not exceed \$500; and

(iii) The line does not duplicate in whole or in part the transportation functions of any existing line or lines.

(3) For any other construction, expansion, extension, improvement, installation, reconstruction, remodeling or other similar operation in "Petroleum Gathering and Movement" (which operation-does not include any use of material in connection with a crude oil gathering line) or in "Refining", if:

(i) The material cost for any one com-

plete operation is \$5,000 or less; and

(ii) The cost of material originally obtained for maintenance and repair purposes through the use of priorities assistance, used in any single operation, does not exceed \$500.

(e) Special restrictions on use of material in crude oil gathering-lines. In no instance may material be used to connect a crude oil gathering line to any well or wells directly or indirectly unless such well or wells were spudded prior to December 23, 1941, or were drilled and completed in conformity with Conservation Order M-68, Petroleum Administrative Order No. 11, or any amendment, supplement or exception to either of such

(f) Application for authorization to use material. Where a person wants to use material in "Petroleum Gathering and Movement" or "Refining" but cannot do so because of the preceding provisions of this order, he must make application -for both authorization to use the material and for necessary priorities assistance by filing PAW Form 30.

Six copies of this form should be prepared. One copy should be retained by the applicant and the original and three copies together with supporting attachments should be sent to the Petroleum Administration for War, Interior Building, Washington 25, D. C. The other copy with attachments should be sent to the District Office of the Petroleum Administration for War for the District in which the work will be done (see Schedule "A");

Any communications in connection with PAW Form 30 for "Petroleum Gathering and Movement" or for "Refining" should be submitted in accordance with these instructions, Ref: PAO-

(g) Violations. Any person who wilfully violates any provision of this order, or who, by any act or mission, falsifies records kept or information furnished in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who wilfully violates any provision of this order may be prohibited from delivering or receiving any material under priority control, or such other action may be taken as is deemed appropriate. ·

(E.O. 9276, 7 F.B. 10091; E.O. 9125, 7 F.R. 2719; Directive-No. 30 of the War Production Board, 8 F.R. 11559; sec. 2 (a., Pub. Law 671, .76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 3d day of February 1944.

RALPH K. DAVIES. Deputy Petroleum Administrator for War.

SCHEDULE A-INSTRUCTIONS FOR DIRECTING COMMUNICATIONS TO DISTRICT OFFICES

District 1: (Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connectlcut, New York, New Jersey, Delaware, Penn-sylvania, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida, District of Columbia) Direct communications to Petroleum Administration for War; 1104 Chanin Building, 122 East 42nd Street; New York 17, New York. Ref: PAO-15.

District 2: (Ohio, Kentucky, Tennessee, Indiana, Michigan, Illinois, Wisconsin, Minnesota, Iowa, Missouri, Oklahoma, Kansas, Nebraska, South Dakota, North Dakota) Direct communications to Petroleum Administration for War; 1200 Blum Building; 624 South Michigan Avenue; Chicago 5, Illinois (or) 415 Beacon Building; 406 South Boulder Avenue, Tulsa 3, Oklahoma. Ref: PAO-15.

District 3: (Alabama, Micalcalppi, Louisiana, Arkanas, Texas, New Mexico) Direct communications to Petroleum Administration for War; 245 Mellie Espercon Building; Houston 1, Texas, Ref: PAO-15.

District 4: (Montana, Wyoming, Colorado, Utah, Idaho) Direct communications to Petroleum Administration for War; 329 First National Bank Building; Denver 2, Colorado.

District 5: (Arizona, California, Nevada, Oregon, Washington, Territories of Alacka or Hawaii) Direct communications to Petroleum Administration for War; 855 Subway Terminal Building; Los Angeles 13, California. Ref: PAO-15.

[F. R. Doc. 44-1675; Filed, February 3, 1944; 10:46 a. m.]

#### TITLE 46—SHIPPING

Chapter III—War Shipping Administration

[G. O. 22,1 Revised]

PART 310-MERCHANT MARINE TRAINING REGULATIONS AND MINIMUM STANDARDS FOR

STATE MARITIME ACADEMIES

General Order 22 is revised to read:

The War Shipping Administration pursuant to authority conferred upon it by the Merchant Marine Act, 1936, as amended, Title 34 U.S. Code, sections 1121, 1122, 1123 and 1123 a-e inclusive, Executive Order 9054 dated February 7, 1942, Executive Order No. 9083 dated March 2, 1942, and Executive Order 9198 dated July 11, 1942, hereby prescribes and adopts as necessary and appropriate to maintain a trained and efficient merchant marine personnel the fol-lowing regulations for State Maritime Academies.

310.1 Definitions.

310.2 Appropriations and disburcements.

Shore base. 310.3 310.4

Training ship. Entrance standards. 310.5

310.6 Personnel.

310.7 Crew.

310.8 Curriculum.

310.9 Miscellaneous regulations.

AUTHORITY: §§ 310.1 to 310.9, includive, issued under 36 Stat. 1353, 55 Stat. 637; 24 U.S.C. 1121-1123; 34 U.S.C. Sup. 11233-11236; E.O. 9054, 9083, 9198; 7 F.R. 837, 1659, 5283.

§ 310.1 Definitions. As used herein, the following definitions shall apply:
(a) "W.S.A." shall mean the War

Shipping Administration.

(b) "Administrator" shall mean the Administrator, War Shipping Administration.

(c) "Deputy Administrator" shall mean the Deputy Administrator for Training, War Shipping Administration.

(d) "Training Organization" shall mean the Training Organization, War

Shipping Administration.

(e) "Assistant Deputy Administrator" shall mean the Assistant Deputy Administrator for Training, Training Organization, War Shipping Administration.

(f) "Superintendent" and "Commanding Officer" shall mean one and the same person, providing he fills both capaci-ties; otherwise the word "Superintendent" shall mean the Superintendent of the state maritime academy and the "Commanding Officer" shall mean the Commanding Officer of the training ship.

(g) "Officers" shall mean all officers and instructors connected with the state maritime academy or the training ship, except part-time civilian instructors.

(h) "Maritime Service" shall mean the United States Maritime Service.

(i) "Supervisor" shall mean the Supervisor of State Maritime Academies, Training Organization, War Shipping Administration.

§ 310.2 Appropriations and disbursements. (a) An annual grant of \$25,030 as authorized by Act of Congress in 1911, will be paid to each State Maritime Academy, if funds therefor are appropriated by the Congress, to each of the five existing State Maritime Academies and such others as may be approved by the W. S. A., providing such State Maritime Academies comply with the Regulations and Minimum Standards prescribed by the W.S.A.

(b) Additional Federal aid in excess of \$25,000 and up to a total of \$50,680 as authorized by Public Law 191, 77th Congress, (55 Stat. 607), will be paid to the State Maritime Academies, Pro-

(1) That the State shall appropriate an amount equal to that received each year from the Federal Government for the same purpose; (2) that the W. S. A. shall have the right to approve students from other states, where an Academy has determined such are eligible for admittance: (3) that the number of students admitted from the other states shall not exceed one-third of the total complement at an Academy; (4) that the per capita cost paid for each out-of-state student will be established annually. To determine this cost, the total number of state cadets will be divided into the total operating expense, less the grant. Vouchers, Standard Form 1034, will be submitted monthly covering the per capita cost of cadets at the Academy, accompanied with a list of the cadets who have been nominated.

For example: Assuming that the per capita cost for cadets is \$650.00 and 20 cadets were nominated from out-of-state to an Academy, the voucher submitted would be:

112 of 0650.00 equals 054.17 per cadet,

854.17 × 20 cadets equals \$1,033.49,

\$1.033.40 being the amount for which the voucher is submitted.

The above voucher would then be made out monthly and submitted to the Supervisor for the duration of the cadets' training, for cixteen months at the Academy. If the per capita cast of the cadets is \$550.00, no more than 38 cadets can be assigned by the Training Organization to any one Academy. Also, if 33 candidates were nominated to any Academy, no more candidates could be approved by the Training Organization until there men had graduated from that Academy.

(c) All cadets at State Maritime Academies will be enrolled in the Maritime Service, and in the U.S. Naval Reserve, as Midshipmen, Merchant Ma-

<sup>17</sup> F.R. 7619.

rine Reserve (inactive), and will be paid a scholarship subsidy of \$65.00 per month plus subsistence allowances of 75¢ per day, and shall receive \$195.00 clothing and textbook allowance,

(d) Cadets, while attached to a State Maritime Academy, although transferred to a hospital or sick in the sick bay, shall remain in a pay status.

(e) A detailed daily log of absences, with or without leave, hospitalizations, disenrollments and other analagous data shall be kept by each Academy. A copy of these daily logs shall be furnished the Finance Officer and the Supervisor. No cadet will be paid or subsisted when absent without leave for a condition not in line of duty. An Academy shall make no charge to a cadet for tuition, but cadets may be required to pay no more than \$100 a term to cover service charges.

(f) Cadets shall be entitled to medical attention and Public Health Service hos-

pitalization.

(g) The Federal grant of \$25,000 to \$50,000 per year shall be spent in the operation of the training ship and the maintenance and operation of the shore base. The state shall appropriate and spend at least an amount equal to that received from the Federal Government each year for the same purpose.

(h) Compensation claims for personal injuries or death sustained by cadets enrolled in the Maritime Service in performance of duty shall be forwarded to the Supervisor for transmission to the U.S. Employees' Compensation Commis-

sion, Washington, D. C.

(1) The Superintendent is authorized to place any cadet on a non-pay basis for disciplinary reasons, not to exceed a maximum of thirty days. In the event that a cadet is dismissed from a State Maritime Academy for disciplinary reasons, the Superintendent may in his discretion deny payment to such cadet of all earnings due and unpaid such cadet at the time of dismissal.

§ 310.3 Shore base. (a) In order to assure its most economical and efficient operation, the maximum number of cadets a State Maritime Academy may be authorized to enroll in the Maritime Service for payment shall be determined by the Assistant Deputy Administrator. No state shall be compelled to take out-of-state students if the full quota can be obtained within the state.

(b) The maximum number of cadets that State Maritime Academies may enroll shall be determined by the Assistant

Deputy Administrator.

(c) The W.S.A. shall have the right to inspect and approve shore base facilities.

(d) The State Maritime Academies shall maintain berthing, messing, and classroom instruction facilities ashore for at least 200 cadets.

(e) Rules and regulations for the internal organization and administration of each State Maritime Academy will be determined under the direction of the state authority. Wherever possible such rules and regulations will follow those prescribed by the W.S.A. for the administration of the Federal Academies.

§ 310.4 Training s h i p. (a) The W.S.A. will loan a suitable training ves-

sel, if such is available, to each of the State Maritime Academies. In the event that it is not possible to provide Academies with a training vessel or vessels, adequate cruising facilities will be made available if possible.

(b) Before a vessel is formally released to a State Maritime Academy, and it is manned by State Officers under State control, a condition survey will be made by duly authorized representatives of the Academy and the W.S.A. If the vessel is found in order, the State Maritime Academy representative will receipt for the ship. Subsequently, after due notice, a condition survey may be made of the ship, whenever such is considered advisable.

(c) The W.S.A. property on board the training ship shall not be permanently removed from the ship to shore base without written approval of the Assist-

ant Deputy Administrator.

(d) The State shall have the use of all equipment, appliances, apparel, spare and replacement parts on board a training ship loaned to a State: Provided, Same or their substantial equivalent is returned to the W.S.A., ordinary wear and tear, unavoidable accident, and/or perils of the sea excepted; and, any such items otherwise lost, destroyed, or consumed in service shall be replaced at the expense of the State.

(e) The State shall pay for all consumable stores, fuel, and costs incidental to the operation of a training ship, except vessel's sails for propulsion. Payment for operating expenses must be approved by the Commanding Officer of the respective State Maritime Academy.

(f) The W.S.A. shall take inventories of State and Federal property on board the vessel and at such times as it deems necessary after consultation with the Academy authorities. A representative of the State shall be present when such inventories are being taken. The Academy shall furnish such assistance as may be necessary for this purpose.

(g) The State shall exercise due diligence to safeguard the interests of the W.S.A. and avoid loss and damage of every nature. Log books and reports shall be submitted as directed to the Assistant Deputy Administrator.

(h) The Assistant Deputy Administrator shall determine whether or not the berth of the training ship at the base in its home port is satisfactory from the standpoint of safety. When the training ship is not on a practice cruise, the Commanding Officer shall keep the Supervisor informed of the location of the vessel and of any contemplated change

(i) Expenses for repairs to vessel, changes and alterations, repairs to equipage, and replacements of equipage, in accordance with approved allowance lists of the vessel, will be charged to the W.S.A. if previously approved by it in writing. Should they become necessary while on foreign cruise, the State is authorized to undertake such repairs not to exceed \$500. It will be reimbursed by the W.S.A. upon submission of vouchers at the termination of the cruise. While on foreign cruise, written authority must be obtained from

the Supervisor for all repairs estimated to cost in excess of \$500.

(j) Detailed reports shall be forwarded promptly to the Supervisor in event of accident causing damage to the training ship, equipment or machinery, or damage inflicted by the training ship to any other ship or property.

(k) The W.S.A. may substitute another vessel for the present training ship. (1) The W.S.A. may also terminate the loan of the training ship to the state in the event said vessel is required for other purposes. The W.S.A. will, however, return the vessel or provide another to the state for its training cruises when available.

(m) The loan of the training ship to the state may be terminated in the event she is not operated to the satisfaction of the W.S.A. after due notice to state authorities and their failure to remedy

conditions complained of.

(n) Upon termination of the loan of a training ship, the state shall return, in the state base port, the vessel and all property whatsoever owned by the W.S.A. Title to all additions, replacements and renewals made by the state shall be in the W.S.A. without charge therefor. Upon delivery of the vessel a condition survey will be made by the W.S.A. to determine her physical condition at that time.

(o) The cruise itinerary of the training ship shall be submitted to the Supervisor at least sixty days in advance of the date a cruise is scheduled to begin. While on a practice cruise, the W.S.A. shall be advised by dispatch of the date of arrival at each port visited. The date of departure shall also be reported if at variance with the approved itinerary. At the time it is submitted, the W.S.A. will be asked for permission to visit the foreign ports listed on the proposed itinerary. Permission for the training ship to visit U. S. Naval Stations or Naval Bases shall be arranged by the Commanding Officer of the vessel.

(p) The following notice shall be posted conspicuously on board a training ship on loan to a state:

This training ship is the property of the United States of America. It is loaned to the State of \_\_\_\_\_\_\_by the United States War Shipping Administration for the purpose of training young men to become officers in the Merchant Marine of the United States. Neither the State, the Commanding Officer, nor any other person has any right, power, or authority to create, incur, or permit to be imposed upon this vessel any lien whatever.

(q) The training ship shall be fumigated at the expense of the state, at least twice a year, if required by the Assistant Deputy Administrator. A copy of the fumigation certificate shall be forwarded to the Supervisor.

(r) Requisitions covering repairs, renewals, and betterments shall be prepared in quintuplicate by the heads of departments of the training ship and submitted by the Commanding Officer to the Supervisor at least thirty days before the date that it is expected to commence the annual overhaul. All items of repair must be approved by the Assistant Deputy Administrator.

(s) To further training and for the purpose of reducing expenses, repairs which need not be carried out during the annual overhaul period shall be made by the trainees under the supervision of ship's officers. When material is needed or has been ordered by the state, the Commanding Officer of the training ship shall forward to the Supervisor a list of material and estimated costs, and a description of the repairs to be carried out by the trainees. The Supervisor will promptly advise the Commanding Officer whether or not such work comes under the heading of repairs.

(t) The Commanding Officer shall promptly advise the Supervisor when it is anticipated or it is determined that major spare parts will be or are re-

quired.

(u) The state shall, at its own expense, keep the training ship and its machinery, boilers, appurtenances, equipment, and spare parts in good order and condition, and shall keep her clean and painted to the satisfaction of the Assistant Deputy Administrator; with the exception of such items approved by the Assistant Deputy Administrator as falling under the heading of repairs,

(v) No structural changes shall be made to the training ship, her machinery or boilers without securing the written

approval of the W.S.A.

(w) The Supervisor shall be promptly notified, sufficiently in advance to enable a representative of the Training Organization to be present, except in an emergency, when it is necessary to repair or dry dock the fraining ship because of damage or other reasons, except for annual overhaul.

§ 310.5 Entrance standards. (a) A candidate for admission to a State Maritime Academy must be a male citizen of the United States, and must qualify in all respects as a Midshipman, Merchant Marine Reserve, U.S. Naval Reserve, and be appointed as such. He must be of robust constitution, physically sound and of good moral character, not less than 17 years and 6 months of age: Provided, That the candidate will have reached his 19th birthday upon completion of course, and shall not have reached his 23d birthday on date of entrance: Provided, That within this range, each state may fix its upper age limit for cadets appointed by the state. When admitted after approval by the Navy, he will wear the insignia and be entitled to all rights and privileges of the Naval Reserve.

(b) A candidate must be unmarried, and in the event it is subsequently determined that he was married at the time of admission to the Academy, or if he marries while at the Academy, he shall

be dismissed.

(c) During the emergency candidates must have a minimum of 12 units from accredited secondary schools and are required to produce satisfactory recommendations as to character. (A unit being defined as a course which has been studied in classroom for at least 120-sixty minute hours of a school year.)

Lists of subjects and their corresponding values in units, are as follows: REQUIED GROUP (5 Units)

8 units in English.

1 unit in Mathematics from any of the following: Algebra Plane Geometry Intermediate Algebra

Solid Geometry Advanced Algebra Plane Trigonometry Spherical Trigonometry

Shop Mathematics (for Midshipmen Engineers only)

1 unit in Science from any of the following group:

Physics Chemistry General Science Biology

Calculus

Mechanic Arts Subjects
Vocational and Workshop Subjects (for
Midshipmen Engineers only)
Aeronautics

### REQUIRED GROUP (7 Units)

The remaining 7 units may be supplied from other subjects completed in accredited schools.

(d) If a candidate has an excess of units in any subject in the required group, such excess units may be credited to the elective group.

(e) In evaluating the entrance units for admission to the Academy, a candidate may also be given credit for subjects undertaken at a secondary school providing that the principal or master of the secondary school submits a statement that in his opinion, the candidate will successfully complete such subjects.

(f) Candidates, upon enrollment, shall be required to take an oath or affirmation of allegiance to the United States of America and submit to finger printing. Copies of the oath or affirmation of allegiance and finger prints shall be furnished to the Assistant Deputy Administrator.

§ 310.6 Personnel. (a) The Superintendent of a State Maritime Academy and the Commanding Officer of the training ship shall be nominated by the state and approved by the Deputy Administrator on behalf of the W.S.A., after consultation with the Navy Department. They shall be either: (1) Officers of the United States

(1) Officers of the United States Navy, Naval Reserve, or Maritime Serv-

ice, active or retired, or

(2) State Maritime Academy graduates with wide experience as Masters of vessels no less in size than the one used as a training ship and shall be officers of the United States Navy or Naval Reserve.

The transcript of service of the nominee and such other documents as may be prescribed must be submitted to the Deputy Administrator for approval before appointment by the state.

(b) After approval of Assistant Deputy Administrator, officer-instructors shall be appointed by the state. Their transcript of service and such other documents prescribed by the W.S.A. shall be submitted to the Assistant Deputy Administrator for approval. The Assistant Deputy Administrator is authorized to approve temporary appointments pend-

ing investigation of transcripts of service, and the state is authorized to make such temporary appointments pending investigation.

- (c) Officers and instructors shall be appointed for qualities of practical experience and training in their specialties, their ability to impart their knowledge to students, and their personality, including the ability to deal with young men without friction.

(d) Officers and instructors may be required by the state to pay wardroom mess for subsistence and laundry service, Wardroom, stateroom and galley equipment shall not be charged to the accounts of officers and instructors.

(e) The Assistant Deputy Administrator shall set the minimum number of officers for the training ships and instructors, except for part-time instructors, for the State Maritime Academies.

(f) All civilian personnel attached to the State Maritime Academies or training ships shall be paid by the state.

(g) All officer-instructors of the training ship shall possess active Merchant Marine Licenses. Radio operators and instructors shall hold active licenses issued by the Federal Communications Commission. In addition, all such officers and instructors, except those in service on the date of these regulations, must have served at least three years in licensed capacity on board merchant vessels of not less than 2,000 gross tons. The following shall be exempt from the above requirements:

(1) Officers of the U.S. Navy or Naval

Reserve, active or retired;

(2) Civilian instructors in other than marine subjects, etc.;

(3) The Medical Officer;

(4) The Paymaster or Supply Officer.
(h) All officer-instructors, except those for temporary emergency service and civilian part-time instructors not on cruise, should be commissioned officers in the United States Navy, Naval Reserve or Maritime Service, and except those in service on October 24, 1941, who are not acceptable because of age or lack of physical qualifications.

(i) The Chief Engineer of the training ship shall be appointed by the state with the approval of the Assistant Deputy

Administrator.

(j) The Chief Engineer of the training ship shall possess an active unlimited license as Chief Engineer of steam and motor vessels, or in lieu thereof, he an experienced engineer officer of the United States Navy or Naval Reserve. If not a naval officer he shall have had experience as a licensed engineer officer in the Merchant Marine, and/or a State Maritime Academy training ship, which is satisfactory to the appointing authority.

(k) The Superintendent, or in his absence, the Commanding Officer of the training ship, or in the absence of both, the next senior deck officer shall be responsible for the training ship and all Federal and State property aboard the

training ship.

(1) The Superintendent and the Finance Officer of State Maritime Academies will be bonded in accordance with the requirements established by the reg-

ulations of the state comptroller. They shall be responsible for financial matters pertaining to the Academy and the train-

ing ship.

(m) If for any good and sufficient reason, following due investigation and hearing, the W.S.A. is dissatisfied with the Superintendent or the Commanding Officer, it will request his discharge by the State.

(n) The Superintendent or, in his absence, the Commanding Officer of the training ship shall be responsible for the courses of instructions and the general system of training as approved by the Assistant Deputy Administrator.

(o) Proper records pertaining to the Academy, its officers, instructors, crew, cadets, the training ship and shore base shall be maintained by each Academy, and shall be available to the Assistant Deputy Administrator upon request.

(p) The W.S.A. recommends the adoption of the pay scale for the staff of each State Maritime Academy which is contained in the following subdivisions, reserving the right, if within its legal authority, to require an established pay and allowance scale at an appropriate time in the future:

(1) The pay and allowances of the Superintendent, to be paid by the state, to be not less than \$6,000 per annum. In the event two men hold the positions of Superintendent and Commanding Officer, the pay of the Commanding Officer to be not less than \$5,600. There shall be no cognizance taken of the retired pay or personal income received by the Superintendent or any other member of the staff.

(2) The minimum pay and allowance for officer-instructors other than commissioned officers of the U.S. Navy, Naval Reserve, the Maritime Service and civilian part-time instructors, subject to approval of State Legislature, are recommended as follows:

Executive Officer Navigation Officer Watch Officer (Senior) Watch Officer (Junior) Engineer Officer First Asst. Engineer Officer Second Asst. Engineer Officer Third Asst. Engineer Officer Paymaster 1 Medical Officer 1 Communications Officer	\$5,012 4,332 3,552 3,082 5,012 4,332 3,552 3,082 3,552 3,552 3,082 3,182
	3,082

<sup>1</sup> If under 35 years of age, the minimum pay should be as that of U. S. Navy Lieutenant (jg), 1st pay grade, \$3,082. The above pay scale is based on "without dependents". If there are dependents, it should be increased according to the Navy pay scale.

(3) Minimum increases of 4% should be granted at the end of each three years of service with the Academy.

(4) Deductions may be made as per U. S. Naval Reserve (active duty) pay and allowance tables in event quarters are owned by the state and furnished to officers and instructors and their dependents.

§ 310.7 Crew. (a) Members of the crew of a training ship shall be citizens of the United States, take an oath or affirmation of allegiance to the United

States of America and submit to finger printing, and, except those in service on the date these regulations are approved, shall be members of the United States Navy, Naval Reserve or Maritime Service, active or retired. Waivers may be granted by the Assistant Deputy Adminstrator.

(b) The minimum number of the crew shall be prescribed by the Assistant Deputy Administrator.

§ 310.8 Curriculum. (a) For the duration of the emergency, the period of training shall be from 16 to 18 months, six months of which must be spent aboard a training ship in a cruise status.

(b) The curriculum shall be such as the Assistant Deputy Administrator, with the approval of the Deputy Administrator, shall designate in instructions.

§ 310.9 Miscellaneous regulations.

(a) It is recommended that a Board of Visitors, acting in an advisory capacity only and meeting at least once a year, shall be appointed by the state for each Academy. It should be composed of at least eight (8) members including the following:

One from the shipping industry.
One from the shipbuilding or shop repair industry.

One from the alumni of the Academy.
One Merchant Marine Master Mariner, possessing active license.

One Merchant Marine Chief Engineer, pos-

sessing active license.

One officer of the United States Navy, active or retired, designated by the Commandant of the Naval District in which the Academy is located.

One from the State Board of Education, or other State department, bureau or agency.
One representative of the W.S.A. designated by the Deputy Administrator.

(b) The names of the State Maritime Academies shall be as follows:

California Maritime Academy.
Maine Maritime Academy.
Massachusetts Maritime Academy.
New York State Maritime Academy.
Pennsylvania Maritime Academy.

(c) A Medical Officer shall be attached to the State Maritime Academy and to training ships at all times when cadets are present. Officers and members of the crew may avail themselves of any medical facilities furnished by the State or Federal Government. During the illness or injury of an officer or member of the crew not on the Federal roll, pay and allowances will continue as authorized by the state. The Superintendent, Commanding Officer, officers, and instructors (other than part-time instructors) shall, if taken ill and left in other than the home port, be furnished suitable transportation to the home port, unless contrary to state law.

(d) Officers and instructors not on the Federal roll will be allowed leave with pay in accordance with State Civil Service laws. It is recommended that during a national emergency, no leave for more than 7 consecutive days be granted and that 14 days be regarded as the maximum leave with pay allowed in a year for officers and instructors.

(e) The insignia for officer-instructors, other than those of the U.S. Navy,

Naval Reserve, Maritime Service, parttime civilian instructors, and cadets, shall be the seal or shield of the particular state.

(f) All officers of the U. S. Navy or Naval Reserve in inactive status, shall wear Merchant Marine Reserve insignia as prescribed by the Bureau of Naval Personnel, or of Maritime Service as prescribed by the W.S.A.

(g) Communications from the State Maritime Academies to other executive or administrative government agencies concerning the policies of the W.S.A. shall be forwarded through the Supervisor. Communications in regard to Naval administration shall be forwarded through official Naval channels.

(h) The Assistant Deputy Administrator is authorized to issue instructions supplementing these Regulations. The State Maritime Academies may be consulted on proposed instructions supplementing these Regulations. These regulations shall become effective as of February 2, 1944, and shall supersede all previous regulations for State Maritime Academies.

E. S. LAND, Administrator.

FEBRUARY 2, 1944.

[F. R. Doc. 44-1703; Filed, February 3, 1944; 11:16 a. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[No. 3666]

PART 75—TRANSPORTATION OF EXPLOSIVES 1
PACKING METHYL BROMIDE

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 19th day of January, A. D. 1944.

In the matter of regulations for transportation of explosives and other dangerous articles.

It appearing, that pursuant to section 233 of the Transportation of Explosives Act approved March 4, 1921, (41 Stat. 1445), and Part II of the Interstate Commerce Act, the Commission has formulated and published certain regulations for transportation of explosives and other dangerous articles;

It further appearing, that in applications received we are asked to amend the aforesaid regulations as set forth in pro-

visions made part hereof;

And it further appearing, that amendments involved in said applications, having been considered and found to be in accord with the best-known practicable means for securing safety in transit and with the need therefor for promoting safety of operation and standards of equipment used in the transportation of said dangerous articles:

It is ordered, That the aforesaid regulations for transportation of explosives

Part 3 in this order appears in OFR as Part 75.

and other dangerous articles be, and they are hereby, amended as follows:

Part 3—Regulations applying to shippers (CFR 75)

Superseding and amending paragraphs (d) and (e), sec. 346, order Aug. 16, 1940, to read as follows (packing methyl bromide):

(d) Spec. 104A or 106A500.-Tank cars

(e) Outage must be sufficient to prevent tank car from becoming entirely filled with liquid at the following temperature: Spec. 104A, at 105° F., spec. 106A500, at 130° F.

It is further ordered, That this order amending the aforesaid regulations shall be effective on and after January 19, 1944, and shall remain in full force and effect and be observed until further order of the Commission;

And it is further ordered, That a copy of this order be served upon all the parties of record herein; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal

(Sec. 233, 41 Stat. 1445, sec. 204, 49 Stat. 546, sec. 4, 52 Stat. 1232, sec. 20, 54 Stat. 922, 56 Stat. 176; 18 U.S.C. 383, 49 U.S.C. 304)

By the Commission, Division 3.

[SEAL]

W. P. BARTEL, Secretary.

[F. R. Doc. 44-1698; Filed, February 3, 1944; 11:25 a. m.]

[S. O. 174, Amdt. 1]

PART 95-CAR SERVICE

TRANSPORTATION OF GRAIN, GRAIN PRODUCTS, ETC.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 2d day of February, A. D. 1944.

Upon recommendation of the ODT-ICC Grain and Grain Products Transportation Conservation Committee to the Office of Defense Transportation and upon further consideration of Service Order No. 174 (9 F.R. 404) of January 7, 1944:

It is ordered, That:

Service Order No. 174 (9 F.R. 404) of January 7, 1944, be, and it is hereby, amended by designating paragraph (a) and subparagraphs (1) and (2) as paragraph (a) (1) and subparagraphs (i) and (ii) respectively and by adding the following paragraph (a) (2) and subdivisions (i) (ii) and (iii) in § 95.327;

(2) The provisions of paragraph (a) (1) shall not be construed to prohibit the acceptance for transportation or the. transportation or movement of carload shipments of grain, grain products, grain byproducts, or seeds:

is located at a river landing or other point inaccessible to carrier's deliveries;

(i) When the "notify" or "advise" party

(ii) When the "notify" or "advise" party is located at a prepay station or on a rural free delivery route or in the interior, in which cases the shipment must be consigned to an adjacent open station designated by the shipper; or

(iii) When the destination station and consignee's post office address adjacent to such station are differently named. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat, 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective at 12:01 a.m., February 6, 1944; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL. Secretary.

[F. R. Doc. 44-1699; Filed, February 3, 1944; 11:25 a. m.]

#### Notices

## DEPARTMENT OF THE INTERIOR.

Grazing Service.

DESIGNATED WESTERN GRAZING DISTRICTS ORDER FOR RELIOVAL OF TRESPASSING HORSES

Grazing districts established under the provisions of the act of June 23, 1934 (48 Stat. 1269), as amended.

Whereas by order approved March 10. 1943, the Federal range was closed to all horses unlawfully grazing thereon until March 1, 1944: and

Whereas many thousands of such horses have been removed under and pursuant to said order from the public lands within the exterior boundaries of the 58 grazing districts of the United States; and

Whereas there are still large numbers of such horses grazing at large on the range in all of said grazing districts, consuming forage vitally needed for domestic livestock, injuring the range in many respects, and increasing the cost of range administration; and

Whereas it is necessary for the full protection of the range and the preservation of forage thereon for domestic livestock that the Federal range continue to be closed to such horses for another year:

Now, therefore, by virtue of the authority vested in me by the act of June 28, 1934 (48 Stat. 1269, 43 U.S. C. 315, ct seq.), as amended, commonly referred to as the Taylor Grazing Act, It is ordered, That Arizona Grazing Districts Nos. 1, 2, 3, and 4; California Grazing Districts Nos. 1 and 2: Colorado Grazing Districts Nos. 1, 2, 3, 4, 5, 6, 7, and 8; Idaho Grazing Districts Nos. 1, 2, 3, 4, and 5; Montana Grazing Districts Nos. 1, 2, 3, 4, 5, and 6; Nevada Grazing Districts Nos. 1, 2, 3, 4, and 5; New Mexico Grazing Districts Nos. 1, 2, 3, 4, 5, 6, and 7; Oregon Grazing Districts Nos. 1, 2, 3, 4, 5, 6, and 7; Utah Grazing Districts Nos. 1, 2, 3, 4, 5, 6, 7, 3, and 9; and Wyoming Grazing Districts Nos. 1, 2, 3, 4, and 5 be and they are hereby closed for the period beginning March 1, 1944, and ending March 1, 1945. to the grazing of all horses other than those lawfully grazing therein under valid license or permit and those used as riding, pack, and draft animals in connection with lawful livestock operations and those used by persons lawfully traveling over such lands.

The Grazing Service is authorized to cause all such unclaimed and trespassing horses to be removed from the Federal range in the grazing districts hereinabove mentioned.

This order shall be effective from and after publication in the FEDERAL REGISTER. Approved this 29th day of January

A. D. 1944.

ARE FORTAS, Acting Secretary of the Interior.

[F. R. Doc. 44-1674; Filed, February 3, 1944, 9:59 a. m.]

## DEPARTMENT OF LABOR.

Office of the Secretary.

[WLD-19]

WELCH EXPRESS AND BINGHALITON AND ONEONTA EXPRESS

FINDINGS REGARDING WAR CONTRACTS

In the matter of Welch Express and Binghamton & Oneonta Express, Binghamton, New York; (Case No. S-626).

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong., 1st sess.) and the Directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943, and

Having been advised of the existence of a labor dispute involving the Welch Express and the Binghamton & Oneonta Express, Binghamton, New York, I find that motor vehicle transporta-

tion of raw materials and finished products by the Welch Express and the Binghamton & Oneonta Express, Binghamton, New York, pursuant to contracts with war contractors in and around Binghamton, New York, is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C. this 2d day of February 1944.

> FRANCES PERKINS, Secretary of Labor.

[F. R. Doc. 44-1677; Filed, February 3, 1944; 10:47 a. m.]

## [WLD-18]

MALLORY EXPRESS, LEAVENWORTH EXPRESS AND CHARLES LANDON

FINDINGS REGARDING WAR CONTRACTS

In the matter of Mallory Express, Leavenworth Express and Charles Landon, Elmira, New York; (Case No.

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong., 1st sess.) and the Directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943, and

Having been advised of the existence of a labor dispute involving the Mallory Express, Leavenworth Express, and Charles Landon, Elmira, New York,

I find that motor vehicle transportation of parts for machinery, raw materials and finished products by the Mallory Express and the Leavenworth Express, Elmira, New York, pursuant to contracts with war contractors in and around Elmira, New York, and motor vehicle transportation of produce by Charles Landon, Elmira, New York, pursuant to contract with the Great Atlantic and Pacific Tea Company, Rochester New York, are contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C. this 2d day of February 1944.

FRANCES PERKINS, Secretary of Labor.

[F. R. Doc. 44-1676; Filed, February 3, 1944; 10:47 a. m.]

## FEDERAL POWER COMMISSION.

[Docket No. IT-5829]

ARKANSAS POWER & LIGHT COMPANY

ORDER POSTPONING HEARING

JANUARY 31, 1944.

It appearing to the Commission that: (a) On June 16, 1936, this Commission prescribed a Uniform System of Accounts for Public Utilities and Licensees, Electric Plant Accounts Instruction 2-D of which required electric utilities subject to the jurisdiction of the Commission to complete and file with the Commission reclassification and original cost studies of electric plant not later than two years after the effective date of the system of accounts, i. e., January 1, 1937;

(b) Arkansas Power & Light Company (hereinafter referred to as "Company") after many delays, on June 3, 1940, filed its purported reclassification studies. Subsequently, the staff of this Commission, in collaboration with the staff of the Department of Public Utilities of Arkansas, began an examination thereof at the offices of the Company in Pine

Bluff, Arkansas;

(c) As a result of such examination there was submitted by the staff on March 20, 1943, a report entitled "Arkansas Power & Light Company, Pine Bluff, Arkansas, Report on Reclassification and Original Cost Studies of Electric Plant as of January 1, 1937," which report. while not signed by members of the staff of the Department of Public Utilities of Arkansas because the staff member who collaborated in the study was no longer employed by the Department, nevertheless had the written concurrence in general of J. D. Walker, . Chief Accountant of the Department;

(d) On June 15, 1943, this Commission issued an order in this docket pointing out numerous deficiencies in the Company's study and requiring the Company to show cause, under oath, within 90 days, why the Commission should not find and determine that substantial adjustments, as set forth in the staff report, should be made in its books of account:

(e) On September 18, 1943, the Company filed a response which represented definite progress toward the proper adjustment of its accounts but left important questions open for determination before final approval could be given;

(f) On October 9, 1943, Mr. C. Hamilton Moses, President of the Company, sought a conference with the Commission regarding the reclassification and original cost matter and was advised under date of October 13 that our staff was engaged in making an analysis of the Company's response and that further consideration would be given to his request for a conference when such analy-

sis was completed;

(g) On October 9, Chairman A. B. Hill of the Arkansas Department of Public Utilities, following the suggestion by the Commission Chairman that the two commissions should cooperate in the matter, wrote the Commission stating that his Department would be glad to arrange a conference, and was advised that representatives of the Commission would participate in such a conference in Little Rock or Washington according to his convenience. Mr. Hill replied by telegram on October 26 that a conference in Little Rock during the week of November 8 would be agreeable and was advised by letter of October 28 that the Chairman of the Commission and the Chief of its Bureau of Accounts, Finance and Rates would arrive in Little Rock on the morning of November 11 for the purpose of discussing original cost matters of the Arkansas Power & Light The meeting took place on Company. that date;

(h) On November 10, 1943, the day before the conference in Little Rock, the Department of Public Utilities adopted an order setting a hearing for December 7 in its general rate investigation of the Arkansas Power & Light Company which has been pending since 1937. This order was drawn so broadly as to include also the reclassification and original cost proceeding, specifically requiring the Company to show cause "why it should not be required by the Department to adjust its accounts to conform to the uniform system of accounts adopted heretofore by the Department and to write out or charge off any item or items carried on its books of account which do not reflect actual values";

(i) The order of the Department appears to sanction the "value" concept of accounting, advocated by the Company and its affiliates in the Electric Bond and Share group in support of inflationary items in their accounts, as distinguished from the "cost" concept on which the Uniform Systems of Accounts of this Commission and of the Department are

(j) The Company was further ordered and directed to make full and complete disclosures at such hearing of "all studies relating to the original cost of its electric properties and to the reclassification of such cost under the system of accounts of the Federal Power Commission which it has heretofore filed with said Commission, together with copies of all correspondence that has passed between the Respondent and the Federal Power

Commission";
(k) The Arkansas Department of Public Utilities requested the assistance of this Commission in its proceeding under the foregoing order, urging that this Commission provide its experts, who had prepared the original cost report on the Company, as witnesses in the Depart-

ment's hearings:

(1) The effect of the order of the Arkansas Department, together with its request for assistance, was to reject the cooperative procedure offered by the Commission, which it had been understood would be the subject of the conference, and to substitute therefor a trial by the Arkansas Department alone, in which trial the Commission's experts would be among the principal witnesses for the Department without any participation by this Commission which thereafter would have to conduct its own hearings in this long pending matter;

(m) The Commission through its representatives and by letters of November 26 and December 29, 1943, and January 12, 1944, expressed its readiness to cooperate with the Arkansas Department of Public Utilities in every way consistent with the effective discharge of its statutory responsibilities. The Commission again proposed that, if a final settlement of the reclassification case could not be reached in conferences with the Company, progressively postponed by the Company, the matter could be disposed of in a joint hearing by the two Commissions and that such joint hearing could be utilized by the Arkansas Department as an integral part of its rate proceeding, thereby sparing members of the Commission's staff the necessity of testifying in two proceedings on the same subject matter and saving time and expense for all concerned. The Arkansas Department rejected this proposal;

(n) The Commission on January 13, 1944, hoping to expedite assistance to the Arkansas Department, adopted an order setting the reclassification of accounts case (involving alleged inflation totalling approximately \$17,000,000) for hearing on February 16, 1944, in Little Rock, and provided in said order for the full participation of the Arkansas Department pursuant to the provisions of the Federal Power Act and the cooperative agreement with the National Association of Railroad and Utilities Commissioners, embodied in Part 39, § 39.4 of the Com-

mission's rules of practice;

(o) The Arkansas Department by letter of January 17, 1944, reiterated its unwillingness to consider the matter cooperatively in a joint hearing thereby insisting upon proceeding separately, utilizing this Commission's staff, to decide issues of mutual interest raised by

the staff of this Commission and which are the subject of a formal proceeding in our Docket No. IT-5829. The Arkansas Department in the letter stated that if the Commission should go forward with the hearing set for February 16, 1944, it would have the effect of delaying the Department's proceeding.

The Commission finds that:

(1) In the circumstances, it would be prejudicial to the efficient and proper conduct of the duties entrusted to this Commission by Congress to make its experts available as witnesses, at this time and until further order of the Commission, to the Arkansas Department of Public Utilities for its hearing, in which matters subject to the jurisdiction of this Commission are specifically included;

(2) In order to avoid any possible conflict between this Commission's hearing and that of the Arkansas Department, it is appropriate to postpone the hearing in the Commission's docket heretofore ordered to begin in Little Rock, Arkansas, on February 16, 1944.

The Commission orders that:

(A) The public hearing, heretofore ordered to commence on February 16, 1944, at 9:45 a.m. (C. W. T.) in Little Rock, Arkansas, for the purpose of determining the issues raised by the order of June 15, 1943, in this case and the Company's response thereto, be and the same hereby is postponed to commence at the same time and place on March 16, 1944:

(B) The Department of Public Utilities of Arkansas may participate in the hearings as provided in Part 39, § 39.4 of this Commission's rules of practice and regulations prescribed pursuant to the provisions of the Federal Power Act.

By the Commission.

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc. 44-1689; Filed, February 3, 1944; 11:07 a. m.]

#### INTERSTATE COMMERCE COMMIS-SION.

[S. O. 178, Special Permit 10]

CONCENTRATED FRUIT JUICE SHIPMENTS USE OF REFRIGERATOR CARS FOR TRANSPORT

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

Irrespective of the provisions of Service Order No. 165 as amended to disregard the provisions of Service Order No. 178 insofar as it applies to the loading of not to exceed one hundred fifty (150) refrigerator cars with concentrated citrus juice by Federal Surplus Commodities Corporation at Dade City, Dunedin, Lake Wales or Tampa, Florida, and the movement of not to exceed one hundred fifty (150) refrigerator cars so loaded from those crigins to Jacksonville, Florida, Savan-nah, Georgia, Richmond, Virginia, or to harborside at points in New Jersey, between February 1, 1944, and April 15, 1944: Provided, That the Federal Surplus Commodities Corporation furnishes the Eureau of Service of the Interstate Commerce Commission witha weekly report of cars loaded and shipped

under this permit.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Rallroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement: and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 31st day of January 1944.

> HOMER C. KING, Director, Bureau of Service.

[F. R. Doc. 44-1097; Filed, February 3, 1944, 11:25 a. m.]

#### OFFICE OF ALIEN PROPERTY CUS-TODIAN.

[Vesting Order 2033]

#### HENRY LEMOINE & CIE

In re: Copyright interests of Henry Lemoine & Cie.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Henry Lemoine & Cie. a business organization operating under the laws of Belgium and France, which has its principal places of business at Brussels, Esl-gium, and Paris, France, is a national of foreign countries (Belgium and France); 2. Determining, therefore, that the prop-erty described as follows:

All right, title, interest and claim of whatscever kind or nature, under the statutory and common law of the United States and the several States thereof, of the aforecald Henry Lemoine & Cie, of Bruccels, Belgium, and Paris, France, in, to and under the fellowing:

(a) Every copyright, claim of copyright and right to copyright in each and all of the works designated in Exhibits A, B, C, D, E, F, G. H. and I, all of which exhibits are attached hereto and hereby made a part hereof:1

(b) Every copyright, claim of copyright and right to copyright in each and all of the works subject to copyright, in which such rights and claims are held by the aforecald Henry Lemoine & Cle, whether or not such works are specifically designated in this order;

(c) Every license, agreement, privilege, power and right of whatever nature arising under or with respect to any or all of the foregoing; excepting the rights of any person to renew any or all of the copyrights arising in, from or under any or all of the foregoing:

(d) All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

(e) All rights or reversion or revesting, if any, in any or all of the foregoing;

(f) All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation deceribed in or affecting any or all of the

foregoing:

(g) All right, title or interest in any paper or other copies of the works described in

the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, a national of a foreign country:

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interect:

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; Provided, however, That this order shall not vest any right of any person to renew any copyright in any or all of the works above described.

Such property and any or all of the proceeds thereof shall be held in a special account panding further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on September 4, 1943.

[SEAL]

LEO T. CROWLEY. Alien Property Custodian.

[P. R. Doc. 44-1678; Filed, February 3, 1944; 11:11 a. m.]

#### [Vesting Order 2034]

## EDITIONS MAURICE SENART -

In re: Copyright interests of Editions Maurice Senart.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation;

<sup>&</sup>lt;sup>1</sup>Filed as part of the original document.

1. Finding that Editions Maurice Senart, a joint stock company organized under the laws of France, which has its principal place of business at Paris, France, is a national of a foreign country (France);
2. Determining, therefore, that the prop-

erty described as follows:

All right, title, interest and claim of whatsoever kind or nature under the statutory and common law of the United States and the several States thereof of the aforesaid Editions Maurice Senart, of Paris, France, in, to and under the following:

(a) Every copyright, claim of copyright and right to copyright in each and all of the works designated in Exhibits A and B, both of which exhibits are attached hereto and

hereby made a part hereof;'3

(b) Every copyright, claim of copyright and right to copyright in each and all of the works subject to copyright, in which such rights and claims are held by the aforesaid Editions Maurice Senart, whether or not such works are specifically designated in this

order;
(c) Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing; excepting the rights of any person to renew any or all of the copyrights arising in, from or under any or all of the foregoing;

(d) All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing; (c) All rights of reversion or revesting, if

any, in any or all of the foregoing;

(f) All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or

affecting any or all of the foregoing;
(g) All right, title or interest in any paper or other copies of the works described in the

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, a na-

tional of a foreign country;
3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; Provided, however, That this order shall not vest any right of any person to renew any copyright in any or all of the works above described.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to

allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section

10 of said Executive order.

Executed at Washington, D. C., on September 4, 1943.

LEO T. CROWLEY, [SEAL] Alien Property Custodian.

[F. R. Doc. 44-1679; Filed, February 3, 1944; 11:11 a. m.]

#### [Vesting Order 2116]

#### C. F. PETERS

In re: Copyright interests of C. F. Peters.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that C. F. Peters, a resident of Leipzig, Germany, is a national of a foreign country (Germany);

2. Determining, therefore, that the prop-

erty described as follows:

All right, title, interest and claim of what-soever kind or nature, under the statutory and common law of the United States and the several States thereof, of the aforesaid C. F. Peters of Leipzig, Germany, in, to and

(a) Every copyright, claim of copyright and right to copyright in each and all of the works designated in Exhibit A, which exhibit is attached hereto and hereby made a

part hereof;1

(b) Every copyright, claim of copyright and right to copyright in each and all of the works subject to copyright, in which such rights and claims are held by the aforesaid C. F. Peters whether or not such works are specifically designated in this order;

(c) Every license, agreement, privilege, power, and right of whatsoever nature arising under or with respect to any or all of the foregoing; excepting the rights of any person to renew any or all of the copyrights arising in, from or under any or all of the foregoing:

(d) All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect

to any or all of the foregoing;
(e) All rights of reversion or revesting, if

any, in any or all of the foregoing;

(f) All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

(g) All right, title or interest in any paper or other copies of the works described in the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, a national

of a foreign country;
3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national in-

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2 to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States: Provided, however, That this order shall not vest any right of any person to renew any copyright in any or all of the works above described.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on September 7, 1943.

[SEAL] LEO T. CROWLEY, Alien Property Custodian.

[F. R. Doc. 44-1680; Filed, February 3, 1944; 11:12 a. m.]

#### [Vesting Order 2543]

## CERTAIN FOREIGN NATIONALS

In re: Copyright interests held by certain foreign-nationals.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each person whose name, nationality, and last known address where established, is listed at the top of each page of Exhibit A attached hereto and by reference made a part hereof, if an individual is a resident or citizen of, or if a business organization is organized under the laws of, and holds the nationality designated after the name of such person;

Filed as part of the original document.

2. Finding that the persons listed in said Exhibit A jointly or severally own or control the property hereinafter described in subparagraph 3:

3. Determining that the property described

as follows:

a. All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each person whose name, nationality, and last known address, where established, is designated at the top of each page of said Exhibit A in, to and under the following:

1. Every copyright, claim of copyright and right to copyright, or rights related thereto, in each and all of the works described in each page of said Exhibit A under the name of

such person;

2. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing; excepting the rights of any person to renew any or all of the copyrights arising in, from or under any or all of the foregoing;

3. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;
4. All rights of reversion or revesting, if

any, in any or all of the foregoing;

5. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all.remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property of, or is property payable or held with respect to copyrights or rights related thereto, in which interests are held by, and such property itself constitutes interests held therein by, nationals of one or more foreign countries.

4. Having' made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

5. Deeming it necessary in the national interest:

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will-not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 9, 1943.

[SEAL]

LEO T. CROWLEY, Alien Property Custodian.

[F. R. Doc. 44-1681; Filed, February 3, 1944; 11:12 a. m.]

#### [Vesting Order 2946]

#### RIKIZO AND TAKA TANAKA

In re: Unimproved real property and claims owned by Rikizo and Taka Tanaka, husband and wife, and bank account owned by Taka Tanaka.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of both Rikizo Tanaka and Taka Tanaka, his wife, is 11 Itcho-me, Showa-dori, Nakano-ku, Tokyoshi, Japan, and that they are residents of Japan and are nationals of a designated

enemy country (Japan); 2. That Rikizo Tanaka and Taka Tanaka are the owners of the property described in subparagraph 3-a hereof, that Rikizo Ta-naka is the owner of the property described in subparagraph 3-b hereof, that Taka Tanaka is the owner of the property described in subparagraphs 3-c and 3-d hereof;

3. That the property described as follows: a. Real property situated in the County of Honolulu, Territory of Hawaii, particularly described in Exhibits A and B, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the owner-

ship of such property,
b. All right, title, interest and claim of any name or nature whatsoever of Rikizo Tanaka in and to any and all obliga-tions, contingent or otherwice and whether or not matured, owing to him by The Yoko-hams Specie Bank, Itd., Honolulu Branch, including but not limited to all security rights in and to any and all collateral for any and all such obligations, and the right

to enforce and collect such obligations.
c. All right, title, interest and claim of any name or nature whatever of Taka Tanaka in and to any and all obligations, contingent or otherwise and whether or not matured, owing to her by The Yokohama Specie Bank, Ltd., Honolulu Branch, includ-ing but not limited to all security rights in and to any and all collateral for any and all such obligations, and the right to enforce

and collect such obligations, and
d. All right, title, interest and claim of Taka Tanaka in and to the sum of 8500, constituting a portion of a ravings account, No. 59058, in the Bishop National Bank of Hawaii, Honolulu, T. H., which is due and owing to and held for and in the name of Taka Tanaka, including but not limited to all security rights in and to any and all collateral for all or part of such account and the right to enforce and collect the came,

is property within the United States owned or controlled by nationals of a designated enemy country (Japan);

And determining that the property described in subparagraph 3-d hereof is necessary for the maintenance or cafeguarding of other property (namely, that property deccribed in subparagraph 3-a hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such percons be treated as nationals of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-b, 3-c and 3-d hereof.

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 13, 1944.

[SEAL]

LEO T. CROWLEY. Alien Property Custodian.

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#### EXHIEIT A

## FIRST PARCEL OF LAND

All of that certain parcel of land situate, lying and being at Kalihi, Honolulu, City and County of Honolulu, Territory of Hawaii, being Lot number three (3), in Block "C", of the tract of land known as the "Ulu Tract", as shown on the Map thereof, filed in the Office of the Registrar of Conveyances at Honolulu as Registered Map Number Honolulu as I Twenty-Six (26).

Containing an Area of 3459 Square Feet, or thereabouts, and being a portion of the came lands that were conveyed to the said Rikizo Tanaka by Annie Bernard Kuince (widow), by Deed dated April 25th, A. D. 1924 and recorded in said Registry Office in Liber 730 on Pages 228-229.

#### SECOND PARCEL OF LAND

All of that certain parcel of land situate, lying and being at Kalihi, Honolu'u, City and County of Honolulu, Territory of Hawaii, being Lot number four (4), in Block "C", of the tract of land known as the "Ulu Tract", as shown on the Map, thereof, filed in said Registry Office, as Registered Map Number Twenty-Six (26).

Containing an area of 3369 square feet, or thereabouts, and being the same land that was conveyed to the said Rikizo Tanaka by Annie Bernard Kuinae (widow) by Deeddated October 9th, A. D. 1928 and recorded in said Registry Office in Liber 959 on Pages 413–414.

#### EXHIBIT B

## THIRD PARCEL OF LAND

All of those certain parcels of land situate at Kapalama, City and County of Honolulu, . Territory of Hawaii, described as follows:

Lots Numbered 1034, area 6,000.0 square feet; 1035, area 6,000.0 square feet; and 1037, area 6,000.0 square feet; and 1037, area 6,000.0 square feet of land, a little more or less, in Section "G" of the tract of land known as the "McInerny Park Tract", as shown and delineated on subdivision Map or Plan accompanying Land Court Application No. 290 of W. O. Smith, S. M. Damon, E. Faxon Bishop, A. F. Judd and A. W. Carter, Trustees under the Will and of the Estate of Bernice P. Bishop, deceased, approved by the Judge of the Land Court November 24, 1926, and being portions of the lands described in Transfer Certificate of Title Number 6765 issued to the said TAKA TANAKA, wife of Rikizo Tanaka, subject, to the following restrictions and reservation, viz:

That the land described shall not be used as a quarry or for quarrying purposes nor shall any of the soil or rock be taken or carried away from the premises to the detriment of the adjoining or adjacent lands.

Reserving, however, to William Henry McInerny, and to whomsoever he may assign this reserved right or easement, the right, authority and privilege of an easement for installing and thereafter maintaining over, acres, upon, under and/or through said lots, such sewer, water and/or gas pipe or pipes with all necessary appurtenances as he, it or they may desire at such location near either boundary line of said lot or lots, as he, it or they may select, but in no case more than five feet from such boundry line selected, and upon condition that the then owner of said easement shall immediately after executing any of the rights aforesaid, and at his or its own expense, shall restore said premises, in so far as reasonably possible; to the condition that they were in prior to the exercise of such rights under the easement, and the exercise of such rights shall constitute a covenant on the part of the person so exercising the same to so restore said premises to such former

Said above named restrictions and reservation being set forth in that certain deed made by William Henry McInerny to Taka Tanaka, dated January 30, 1928, filed in the Office of the Assistant Registrar of the Land Court as Document No. 14711 to which reference is hereby made.

[F. R. Doc. 44-1692; Filed, February 3, 1944; 11:13 a. m.]

## [Vesting Order 2977] JOHN MARTZER

In re: Real property, property insurance policies, and income account owned by John Martzer.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended,

and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of John Martzer is Wekerle Ut #1 F. M. Mor, Hungary, and that he is a resident of Hungary and a national of a designated enemy country (Hungary);

2. That John Martzer is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:
a. Real property situated in the County
of Hartford, State of Connecticut, bounded
and described as follows, to wit: Northerly
by Oak Street, Sixty-five (65) feet, Easterly
by land of the Estate of Felix Della Fera;
Southerly by land of Celestine Saidella et al,
Sixty-five (65) feet, and Westerly by land
of the said John Martzer, together with all
hereditaments, fixtures, improvements, and
appurtenances thereto, and any and all
claims for rents, refunds, benefits or other
payments arising from the ownership of such
property.

b, Real property situated in the County of Hartford, State of Connecticut, bounded and described as follows, to wit: Northerly by Oak Street; Easterly by land now or formerly of James and Nellie Farrell; Southerly by land formerly of Norbett House; Westerly by Cottage Street, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

c. All right, title, and interest of John Martzer in and to fire insurance policies Nos. 4725 and 4495 issued by the Continental Insurance Company, 80 Maiden Lane, New York City, insuring the premises described in subparagraphs 3-a and 3-b hereof, and

subparagraphs 3-a and 3-b hereof, and
d. All right, title, interest and claim of
any name or nature whatsoever of John Martzer in and to any and all obligations, contingent or otherwise and whether or not
matured, owing to John Martzer, by the
Manchester Trust Company of Manchester,
Connecticut, and represented on the books of
the said Manchester Trust Company as an
income account due John Martzer, including
but not limited to all security rights in and
to any and all collateral for any and all such
obligations, and the right to enforce and
collect such obligations,

is property within the United States owned or controlled by a national of a designated enemy country (Hungary);

And determining that the property described in subparagraphs 3-c and 3-d hereof

And determining that the property described in subparagraphs 3-c and 3-d hereof is necessary for the maintenance or safeguarding of other property (namely that property described in subparagraphs 3-a and 3-b hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order:

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Hungary);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraphs 3-a and 3-b hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-c and 3-d hereof.

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 22, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-1693; Filed, February 3, 1914; 11:13 a.m.]

# [Vesting Order 2978] LENA LOCHNER PAUL

In re: Bond and mortgage, undivided interest in a mortgage on real property, property insurance policies, a claim and \$500 cash, owned by Lena Lochner Paul, also known as Lena C. Lochner and as Mrs. George Paul.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Lena Lochner Paul, also known as Lena C. Lochner and as Mrs. George Paul, is Spohrstrasse 9, Kassel, Germany, and that she is a resident of Germany and a national of a designated enemy country (Germany);

2. That the said Lena-Lochner Paul, also

2. That the said Lena-Lochner Paul, also known as Lena C. Lochner and as Mrs. George Paul, is the owner of the property described in Perseash 2, beroof.

in Paragraph 3 hereof;
3. That the property described as follows:
a. A mortgage executed on November 2,
1922 by Isaac Gordon and Minnle Gordon, his
wife, and Pincus Toback and Yetta Toback,
his wife, and recorded on November 3, 1922
in the Register's Office of Kings County, New
York, in Liber 5293 of Mortgages, Page 28,
which was assigned to Lena C. Lochner on
February 16, 1932, and which assignment was
recorded in the Register's Office of Kings
County, New York, on May 31, 1933, in Liber
7242 of Mortgages, Page 242, and any and all
obligations secured by said mortgage, including but not limited to all security rights in
and to any and all collateral (including the
aforesaid mortgage) for any and all of such

obligations and the right to enforce and collect such obligations and the right to the possession of any and all notes, bonds and other instruments evidencing such obligations,

b. An undivided interest to the extent of \$14,000 in a mortgage executed on June 14, 1929 by The Daniel Houlihan Corporation and recorded in the Register's Office of Bronx County, New York, in Liber 1431 of Mortgages, Page 70, identified by Guaranteed Mortgage Certificate Numbered 14 in Mort-gage Number 2538 of the Union Guarantee & Mortgage Company in the possession of Olin, Clark & Murphy, 120 Broadway, New York, New York, and any and all obligations, contingent or otherwise and whether or not matured, which are secured by said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all such obligations and the right to enforce and collect such obligations and the right to the possession of any and all notes, bonds and other instruments evidencing such obligations.

c. All right, title and interest of Lena Lochner Paul, also known as Lena C. Lochner and as Mrs. George Paul, in and to the fol-

lowing insurance policies:

(1) Fire Insurance Policy No. 442698, issued by the Standard Fire Insurance Company insuring the premises described in subparagraph 3-a hereof:

(2) Fire Insurance Policy No. 45-50754, issued by the Hamilton Fire Insurance Company insuring the premises described in sub-

paragraph 3-a hereof;
(3) War Damage Corporation Policy No. 251-54-7778, insuring the premises described

in subparagraph 3-a hereof;

d. All right, title, interest and claim of any name or nature whatsoever of Lena Lochner Paul, also known as Lena C. Lochner and as Mrs. George Paul, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to her by the Mortgage Corporation of New York as Trustee and/or the Superintendent of Insurance of the State of New York, as Liquidator of the Bond and Mortgage Company in Liquida-tion, including but not limited to all security rights in and to any and all collateral for any and all such obligations, and the right to enforce and collect such obligations, and including particularly the claim against the Mortgage Corporation of New York as Trustee and/or the Superintendent of Insurance of the State of New York, as Liquidator of the Bond and Mortgage Company in Liquidation, under Guaranty No. 206037 issued in connection with Guaranteed Mort-gage Certificate No. 103306.

e. All right, title, interest and claim of Lena, Lochner Paul, also known as Lena C. Lochner and as Mrs. George Paul, in and to the sum of \$500, constituting a portion of a certain bank account in the Manufacturers Trust Company, 131 East 23 Street, New York, New York, which is due and owing to, and held for her, and in the name of "Mrs. George Paul" including but not limited to all security rights in and to any and all collateral for any or all of such portion of said account, and the right to enforce and collect the

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraph 3-c and 3-e hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a and 3-b hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to Section 2 of said Executive order:

And further determining that to the extent that such national is a person not within

a designated enemy country, the national interest of the United States requires that such person be treated as a national of a desig-

nated enemy country (Germany);
And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in paragraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one, or

all, of such actions. Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Allen Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on January 22, 1944.

[SEAL]

LEO T. CROWLEY, Alien Property Custodian.

[F. R. Doc. 44-1694; Filed, February 3, 1944; 11:13 a. m.]

#### [Vesting Order 2979]

## ANDREW AND ELIZABETH PROESCHEL

In re: Real property, claim and property insurance policies owned by Andrew Proeschel and Elizabeth Proeschel.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Andrew Procechel, also known as Andreas Procechel, and Elizabeth Procechel, also known as Elizabetha Proschel, is Emskirchen 180, Mittelf, Germany, and that they are residents of Germany and nationals of a designated enemy country (Germany);

2. That the said Andrew Procechel and Elizabeth Procechel are the owners of the property described in subparagraph 3 hereof;
3. That the property described as follows:

a. Real property situated in the County of Hamilton, State of Ohio, particularly described in Exhibit A, attached hereto and by reference made a part hercof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other

payments arising from the ownership of such

b. All right, title, interest and claim of any name or nature whatsoever of Andrew Procechel and Elizabeth Procechel in and to any and all obligations, contingent or otherwice and whether or not matured, owing to the cald Andrew, Prosschel and Elizabeth Procechel by Cleneay and Nourse Co., 111 E. Fourth Street, Cincinnati, Ohio, and represented on the books of the said Cleneay and Nource Co. as an income account due Andrew Procechel and Elizabeth Procechel, including but not limited to all security rights in and to any and all collateral for any and all such obligations and the right to enforce and collect such obligations, and

c. All right, title, and interest of Andrew Procechel and Elizabeth Procechel in and to fire incurance policy No. 731960 in the amount of 87,000 extended coverage issued by the Royal Insurance Co., Ltd. of 150 William Street, New York, New York, and Hability policy No. 266022 in the amount of \$5,000/10,-000 iccued by the Royal Indemnity Company. of 150 William Street, New York, New York, all such policies insuring the premises described

in subparagraph (a) above,

is property within the United States owned

or controlled by nationals of a designated enemy country (Germany); And determining that the property de-ceribed in subparagraph 3-c hereof is necescary for the maintenance or safeguarding of other property (namely, that property de-ceribed in subparagraph 3-a hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this Order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the na-tional interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action, after oppropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-b and 3-c hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein con-

tained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 22, 1944.

[SEAL]

LEO T. CROWLEY, Alien Property Custodian.

#### EXHIBIT A

All that tract or parcel of land Situate in the City of Cincinnati, County of Hamilton and State of Ohio, and being known as Lot. Number Five (5) of the Cleveland Place Subdivision as recorded in Plat Book 28, page 28 of the Hamilton County, Ohio, Plat Records; said Lot Number Five (5) fronting fifty and 06/100 (50.06) feet on the North side of Cleveland Avenue and being two hundred sixteen and 48/100 (216.48) feet in depth on the West line and two hundred fifteen and 82/100 (215.82) feet in depth on the East the same premises conveyed to the grantor herein by Frank E. Wood, et al, by deed dated December 20, 1931, and known as 984 Cleveland Ave.

[F. R. Doc. 44-1695; Filed, February 3, 1944; 11:13 a. m.]

[Vesting Order 2980]

#### JOSEPH SCHUSTER

In re: Real property and interests in fire insurance policies owned by Joseph Schuster.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation, finding:

1. That Joseph Schuster is a resident of Germany and a national of a designated enemy country (Germany);

2. That the said Joseph Schuster is the owner of the property described in subpara-

graph 3 hereof;

3. That the property described as follows: a. Real property situated in Queens County, New York, particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits, or other payments arising from the ownership of such property, and

b. All right, title and interest of Joseph Schuster in and to the following insurance

policies:

(1) Fire insurance policy No. 19538 and renewal certificate No. 1153, issued by the Home Insurance Company, insuring the premises described in subparagraph 3-a hereof;

(2) Fire insurance policy No. 19626 and renewal certificate No. 1256 issued by the Home Insurance Company, insuring the premises described in subparagraph 3-a hereof:

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraph 3-b is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in sub-paragraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraph 3-b hereof.

All such property so vested to be held. used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 22, 1944.

[SEAL]

LEO T. CROWLEY, Alien Property Custodian.

#### EXHIBIT A

All that lot or parcel of land with the buildings and improvements thereon erected in the Borough of Queens, County of Queens, City and State of New York, bounded and described as follows, to wit:

Beginning at a point on the easterly side of St. Nicholas Avenue, distant 60 feet southerly from the corner formed by the inter-section of the southerly side of Ralph Street and the easterly side of St. Nicholas Avenue, and running thence southerly along the easterly side of St. Nicholas Avenue 20 feet; thence easterly parallel with Ralph Street 90 feet; thence northerly parallel with St. Nicholas Avenue 20 feet; and thence westerly parallel with Ralph Street 90 feet to the easterly side of St. Nicholas Avenue, at the point or place of beginning.

Also all right, title and interest of the party of the first part in and to one-half of St. Nicholas Avenue in front of and adjoining the premises herein conveyed to the centre line thereof. .

[F. R. Doc. 44-1696; Filed, February 3, 1944; 11:14 a. m.l

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OFFICE OF DEFENSE TRANSPORTA-TION.

> [Supp. Order ODT 3, Rev. 165] COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN SAN ANTONIO AND MARTON, TEX.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by Central Freight Lines, Inc., Waco, Texas, and L. E. Hensley, doing business as Hensley Freight Lines. Marion, Texas, to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended 17 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947) a copy of which plan is attached hereto as Appendix 1,1 and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, It is hereby ordered, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersedo any provisions of such plan that are in

conflict therewith.

- 2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.
- 3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.
- 4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compli-

<sup>\*</sup>Filed as part of the original document.

ance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised-165" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective February 7, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 3d day of February 1944.

JOSEPH B. EASTMAN,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-1704; Filed, February 3, 1944; 11:19 a. m.]

#### OFFICE OF PRICE ADMINISTRATION.

[Rev. General Order 24]

AUTHORITY TO SIGN AND ISSUE SUBPOENAS AND, INSPECTION ORDERS IN RATIONING INVESTIGATIONS

DELEGATION TO REGIONAL ADMINISTRATORS
AND DISTRICT DIRECTORS

General Order 24 is amended and revised to read as follows:

Pursuant to the authority conferred upon the Administrator by War Production Board Directive, No. 1, as supplemented, and by paragraph 3 of Executive Order No. 9125, the following is prescribed:

(a) Order delegating to Regional Administrators and District Directors authority, in connection with rationing investigations, to sign and issue subpoents and Inspection Orders. (1) In connection with any investigation related to the administration or enforcement of the rationing authority of the Office of Price Administration, or any regulation or

order issued pursuant to that authority, the several Regional Administrators and District Directors are each authorized, within their respective regions or districts, to sign and issue: (a) Subpoenas requiring any person to appear and testify, or to appear and produce books or records or any other documentary or physical evidence or both; and (b) Inspection Orders for the inspection of the books, records, and other writings, and property of any person.

(2) The authority conferred upon the several Regional Administrators and District Directors, by paragraph (2) of this Revised Order No. 24 shall be exercised in conformity with the provisions of subparagraph (4) of section 2 of the Act of June 28, 1940 (54 Stat. 676), as amended by the Act of May 31, 1941 (Public Law No. 89, 77th Cong.) and by Title III of the Second War Powers Act, 1942 (Act of March 27, 1942, Public Law No. 507, 77th Cong.).

(b) This Revised General Order shall be effective as of January 26th, 1944.

Issued this 2d day of February 1944.

 CHESTER BOWLES, Administrator.

[F. R. Doc. 44-1667; Filed, February 2, 1944; 4:48 p. m.]

[Order 1 Under MPR 293]

ALABAMA INSECTICIDE COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 1 under Maximum Price Regulation 298. Rotenone. Docket No. 3298-1.

For the reasons set forth in the opinion issued simultaneously herewith, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended and Executive Orders 9250 and 9328, and in accordance with Procedural Regulation No. 1 and with § 1372.157 (b) of Maximum Price Regulation 298, It is hereby ordered:

(a) On and after February 3, 1944, the maximum price at which the Alabama Insecticide Company of Gadsden, Alabama, may sell and deliver dry, finished rotenone insecticides not made from dust bases shall be the higher of the prices calculated under alternatives 1 and 2 of \$1372.169 of Maximum Price Regulation 298.

(b) The price fixed by paragraph (a) hereof shall be filed with this Office within 10 days of the effective date of this Order. The first sale by the Alabama Insecticide Company at such higher price, to such wholesaler shall be accompanied by a copy of this order and a statement of the maximum price determined hereunder, and the wholesaler, on his resale of such commodity, may raise his maximum selling price by the amount of the increase allowed under this order.

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 1 may be revoked or amended by the Price Administrator at any time. (e) The definitions in § 1372.164 of Maximum Price Regulation No. 233 shall apply to terms used herein.

This Order No. 1 shall become effective February 3, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of February 1944.

CHESTER BOWLES,

Administrator.

[F. R. Doc. 44-1663; Filed. February 2, 1944; 4:48 p. m.]

Regional and District Office Orders.
[Region II Order G-3 Under SR 15]

FLUID MILK IN DESIGNATED COUNTIES IN NEW YORK

Order No. G-3 under § 1499.75 of Supplementary Regulation No. 15 to the General Maximum Price Regulation. Adjustment of wholesale and retail prices of Grade A Class 1 pasteurized fluid milk for certain counties in the State of New York.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 of Supplementary Regulation No. 15, as amended, and pursuant to authorization received from the Price Administrator of the Office of Price Administration, It is hereby ordered, That:

(a) The maximum price for the sale

(a) The maximum price for the sale and delivery in glass or paper containers of Grade A Pasteurized fluid milk intostore, out-of-store, and to-the-home, in that portion of the State of New York which consists of the following counties:

(1) The Counties of Allegheny, Lewis, Livingston, Orleans, Schoharie, Wyoming, Yates;

(2) The County of Chautauqua, with the exception of the Cities of Dunkirk, and Jamestown, and the Villages of Fredonia, Falconer, Celeron, and Lakewood;

(3) The County of Genesse, with the exception of the City of Batavia, and the Village of Leroy:

(4) Clinton County, with the exception of Plattsburg, Schuyler Falls, Peru, Saranac and Dannemora:

(6) Cattaraugus County with the exception of the towns of Ellicottville and Olean;

(6) Eric County, with the exception of that portion thereof included within the Niagara Frontier Milk Marketing Area;

(7) Cayuga County, with the exception of the City of Auburn, and the towns of Owasco, Niles, Fleming, Moravia, Sennett, Aurelius, Throop, Springport, Scipio, Mentz and Ledvard:

(8) Niagara County, with the exception of that portion thereof included within the Niagara Frontier Milk Marketing Area;

(9) Franklin County, with the exception of the towns of Harrietstown and Santa Clara; (10) Ontario County, with the exception of the town of Geneva and city of Canandalgua;

(11) Oswego County with the exception of the City of Oswego and the towns of Volney, Granby, Oswego, Minetto, Scriba and New Haven and Mexico;

(12) St. Lawrence County, with the exception of the towns of Canton, Lisbon, Oswegatchie, Morristown, De Peyster, and De

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No. 25---9

Kalb, Potsdam, Stockholm, Louisville, Wad-Massena, Madrid, Norfolk dington. Brasher;

(13) Seneca County, with the exception of the towns of Waterloo and Seneca Falls;

(14) Steuben County, with the exception of the towns of Erwin, Lindley, Corning, Caton and Hornellsville;

(15) Washington County, with the excep tion of the town of Kingsbury, and the village of Ft. Edward;

(16) Wayne County, with the exception of the town of Arcadia.

shall be the applicable adjusted maximum price specified below:

Type of delivery	Quart	Pint	Half- pint
Into storeOut of store and to the home	Cents	Cents	Cents
	11½	161/2	131/2
	13½	171/2	141/2

Where permitted by Food Distribution Order No. 11, issued by the Food Distribution Admin-istration.

(b) The maximum price for the sale and delivery in glass or paper containers of Grade A Pasteurized fluid milk intostore, out-of-store and to-the-home, in that portion of the State of New York which consists of the following counties:

Schuyler, Cortland, Chenango, Otsego, Delaware, Broome (with the exception of the City of Binghamton, the towns of Binghamton, Conklin, Dickenson, Fenton, Kirkwood, Union and Vestal), Tompkins, (with the exception of the town of Ithaca), Tioga (with the exception of the town of Barton), and the town of Canandaigua in Ontario County, the Cities of Dunkirk and Jamestown, and the villages of Fredonia, Falconer, Celeron and Lakewood in Chautauqua County, and the City of Batavia and the village of Leroy in the County of Genesee, and the town of Olean in the County of Cattaraugus.

shall be the applicable adjusted maximum price specified below:

Type of delivery	Quart	Pint	Half- pint
Into storeOut of store and to the home	Cents	Cents	Cents
	12	17	14
	14	.18	15

<sup>&</sup>lt;sup>1</sup> Where permitted by Food Distribution Order No. 11, issued by the Food Distribution Administration.

(c) The maximum price for the sale and delivery in glass or paper containers of Grade A Pasteurized fluid milk intostore, out-of-store, and to-the-home, the town of Ellicottville in the County of Cattaraugus, shall be the applicable adjusted maximum price specified below:

	Type of delivery	Quart	Pint	Half- pint
,	Into storeOut of store and to the home	Cents 11 13	Cents 1 632 1 732	Cents 131/2 - 141/2

Where permitted by Food Distribution Order o. 11, issued by the Food Distribution Admin-No. 11, is istration.

(d) The maximum price for the sale , and delivery in glass or paper containers of Grade A Pasteurized fluid milk intostore, out-of-store and to-the-home, in that portion of the State of New York which consists of the Counties of Sullivan, Ulster, Orange and Rockland, shall be the seller's maximum price as determined under Section 1499.2, General Provisions of the General Maximum Price Regulation, or the applicable adjusted maximum price specified below, whichever is higher:

Type of delivery	Quart	Pint	Hali- pint
Into store Out of store and to the home	Cents	Cents	Cents
	12	17	14
	14	18	15

<sup>&</sup>lt;sup>1</sup> Where permitted by Food Distribution Order No. 11, issued by the Food Distribution Admin-istration.

(e) The maximum price for the sale and delivery in glass or paper containers of premium milk into-store, out-of-store and to-the-home, in that portion of the State of New York described in paragraphs (a), (b), (c), and (d) hereof, shall be 1¢ per quart more, or ½¢ per pint more, than the applicable adjusted maximum price specified in paragraphs (a), (b), (c), and (d) hereof for Grade A Pasteurized fluid milk.

(f) Where the adjusted maximum price is a unit figure containing a fraction of a cent, the seller must multiply such fractional unit figure by the total number of units in each sales or series of sales for which a single collection is made. Where the resulting amount contains a fraction of a cent, or where only one unit is sold, the seller shall adjust the maximum price to the nearest full cent, except that if the fraction should be a half-cent, the seller shall adjust the maximum price to the next higher full cent (for example, a maximum price of 71/2¢ for one unit shall be adjusted to 8¢ for one unit, 15¢ for two units, and 23¢ for three units, etc.).

(g) This order is subject to revocation or amendment by the Regional Administrator or by the Price Administrator at any time hereafter, either by special order or by price regulation issued hereafter, or by supplementary order which may be contrary hereto.

(h) This order applies to all sales of Grade A Pasteurized fluid milk and premium milk within the geographical limits of the counties and areas set forth in paragraphs (a), (b), (c), and (d) hereof.

(i) Unless the context manifestly otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, issued by the Office of Price Administration, shall apply to other terms herein.

(1) "Fluid milk" (j) Definitions. means cow's milk produced, processed, distributed and sold for consumption in fluid form as whole milk, but shall not include flavored milk.

(2) "Grade A Pasteurized and Fluid milk" shall have the meaning prescribed for such type of milk by the appropriate statutes, orders, or regulations of the State of New York, unless such definitions are superseded by statutes, orders or regulations of that political subdivision of the State of New York within which such type of milk is sold and delivered.

(3) "To-the-home" means a sale and delivery of fluid milk at retail from an

inventory stocked in trucks or other conveyances operated by driver-salesmen over regular routes, and shall not include a sale of fluid milk at retail by a grocery store, meat market, dairy store, or other establishment which delivers fluid milk-separately or together with other purchases.

(4) "Out-of-store" means a sale of fluid milk at retail, by a grocery store, meat market, dairy store, or other establishment which delivers fluid milk separately or together with other purchases, and shall include a sale of fluid milk at retail by a milk distributor at his plant or place of business.

(5) "Premium milk" means fluid milk which customarily sold at a price higher than Grade A Pasteurized fluid milk and which has a butterfat content of 4.2%.

(6) "Niagara Frontier Milk Marketing Area" is that portion of the Counties of Erie and Niagara described in and forming the subject matter of Official Order No. 127, effective October 1, 1938, issued by the Department of Agriculture and Markets, of the State of New York.

(k) This Order No. G-3 supersedes and revokes such portions of Orders G-2. G-9 and G-11 heretofore issued by the Price Administrator under § 1499.18 (c) of the General Maximum Price Regulation which are inconsistent with the maximum prices established by this Order No. G-3.

This order shall become effective January 31, 1944.

(56 Stat. 23, 765; Pub. Iaw 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 28th day of January 1944. DANIEL P. WOOLLEY. Regional Administrator.

[F. R. Doc. 44-1647; Filed, February 2, 1944; 1:05 p. m.]

[Region II Order G-12 Under MPR 329, as Amended1

#### FLUID MILK IN NEW YORK

Order No. G-12 under Maximum Price Regulation No. 329, as amended.

Purchases of milk from producers for resale as fluid milk. Adjustment of the maximum prices for purchases of fluid milk from producers in the State of New York.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 of Maximum Price Regulation No. 329, as amended, and pursuant to a directive issued by the Price Administrator of the Office of Price Administration with the approval of the Administrator of the War Food Administration, It is hereby ordered:

(a) The maximum price at which a purchaser in the course of trade or business may purchase or receive from a producer Grade A Class I fluid milk which is thereafter resold as such in that part of the State of New York hereinafter defined as the "State-wide Milk Marketing Area", shall be the higher of either of the following:

(1) The maximum price established under Maximum Price Regulation No.

329, as amended, or

(2) \$3.30 per cwt., f. o. b. purchaser's receiving or processing plant for such milk having a butterfat content of 3.5%, plus or minus 4¢ for each 1/10 of 1% butterfat content in excess of or below 3.5%, as the case may be.

(b) The maximum price at which a purchaser in the course of trade or business may purchase or receive from a producer Grade A Class I fluid milk which is thereafter resold as such in that portion of the State of New York hereinafter defined as the "Hudson Valley Milk Marketing Area" shall be the higher of either of the following:

(1) The maximum price established under Maximum Price Regulation No.

329, as amended, or

(2) \$3.40 per cwt., f. o. b. purchaser's receiving or processing plant for such milk having a butterfat content of 3.5%, plus or minus 4¢ for each 1/10 of 1% butterfat content in excess of or below 3.5%, as the case may be.

(c) Definitions. When used in this

order the term:

(1) "Grade A Class I fluid milk" shall have the meanings prescribed by the Sanitary Code, Chapter 3 (Revised to February 26, 1941), established by the Public Health Council of the State of New York, and issued by the New York State Department of Health.

(2) "F. o. b. purchaser's receiving or processing plant" means delivery to a receiving or processing plant which is either owned by the purchaser or in which, with respect to the particular purchase, the Grade A Class I fluid milk purchased from the producer is actually

received by such purchaser.

(3) "State-wide milk marketing area" means that the territory comprising the State of New York but excluding the Hudson Valley milk marketing area and the New York Metropolitan milk marketing area, hereinafter defined.

(4) "Hudson Valley milk marketing area" means that portion of the State of New York consisting of the counties of Dutchess, Orange, Putnam, Rockland, Sullivan and Ulster, and the Albany, Rensselaer, Schenectady and Troy milk marketing areas. ·

(i) "Albany milk marketing area" · means that portion of Albany County, New York, which consists of the cities of Albany, Cohoes and Watervliet, the towns of Bethlehem, Colonie, Guilderland and New Scotland, the village of Green Island, and the village of Waterford in the county of Saratoga.

(ii) "Rensselaer milk marketing area" means that portion of Rensselaer County, New York, which consists of the city of Rensselaer and the town of East

Greenbush.

(iii) "Schenectady milk marketing area" means that portion of Schenectady County, New York, which consists of the city of Schenectady and the towns of Glenville, Rotterdam and Niskayuna.

(iv) "Troy milk marketing area" means that portion of Rensselaer County, New York, which consists of the city of Troy and the towns of Brunswick and North Greenbush and Lansingburg.

(5) "The New York Metropolitan milk marketing area" means that portion of the State of New York consisting of the counties of New York, Bronx, Kings, Queens, Richmond, Nassau, Suffolk (except Fisher's Island) and Westchester.

(d) Unless the context manifestly otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as, amended, shall apply to other terms herein.

(e) Geographical applicability. This order applies to all purchases of Grade A Class I fluid milk pursuant to which a purchaser receives physical delivery within the geographical limits of Region II and which is thereafter sold as Grade A Class I fluid milk by such purchaser within those portions of the State of New York as hereinbefore defined.

(f) This order may be revoked, amended or corrected at any time.

(g) This order has been approved by the Administrator of the War Food Administration.

. This order shall become effective January 31, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 28th day of January 1944. DANIEL P. WOOLLEY, Regional Administrator.

[F. R. Doc. 44-1648; Filed, February 2, 1944; 1:08 p. m.]

[Region II Order G-13 Under MPR 329, as Amended]

FLUID MILK IN DESIGNATED AREAS IN NEW YORK

Order No. G-13 under Maximum Price Regulation No. 329, as Amended. Purchases of milk from producers for resale as fluid milk. Revocation of Orders Nos. G-9, G-10, and G-11.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 of Maximum Price Regulation No. 329, as amended, It is hereby ordered, That Orders No. G-9 issued July 7,1943, No. G-10 issued December 21, 1943, and No. G-11 issued January 18, 1944, are hereby revoked.

This order shall become effective January 31, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 28th day of January 1944. DANIEL P. WOOLLEY. Regional Administrator.

[F. R. Doc. 44-1649; Filed, February 2, 1944; 1:08 p. m.]

LIST OF COMMUNITY CEILING PLICE ORDERS UNDER REVISED GENERAL ORDER 51

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on January 31, 1944.

#### REGION II

Albany, Order No. P-1, filed 2:23 p. m. Buffalo, Order No. P-1, filed 2:22 p. m. Delaware, Order No. P-1, filed 2:32 p. m. District of Columbia, Order No. P-1, filed

2:15 p. m. Maryland, Order No. P-1, filed 2:18 p. m. Maryland, Order No. P-1, filed 2:32 p. m. Trenton, Order No. P-1, filed 2:16 p. m.

#### REGION III

Cincinnati, Order No. 2-F, Amendment No. 3, ilicd 2:03 p. m.
Columbuo, Order No. 3-F, Amendment No.

3, filed 2:30 p. m. Columbus, Order No. 7-F, Amendment No.

2, filed 2:30 p. m. Columbuo, Order No. 10, filed 2:31 p. m. Detroit, Order No. 5, Amendment No. 30,

filed 2:22 p. m. Lexington, Order No. 1-F, Amendment No.

14, filed 2:26 p. m.

Lexington, Order No. 2-F, Amendment No.

7, filed 2:26 p. m.
Lexington, Order No. 3-F, Amendment No. 5, filed 2:23 p. m.

Lexington, Order No. 1-P, filed 2:26 p. m. Louisville, Order No. 1-F, Amendment No.

14, filed 2:18 p. m. Louisville, Order No. 2-F, Amendment No.

8, filed 2:19 p. m. Louisville, Order No. 3-F, filed 2:13 p. m. Louisville, Order No. 3-F, Amendment No.

1, filed 2:19 p. m. Louisville, Order No. 1-P, filed 2:26 p. m.

#### REGION V

Dallas, Order No. 1-F, Amendment No. 2, filed 2:13 p. m.
Dallas, Order No. 3-F, Amendment No.-1,

filed 2:12 p. m. New Orleans, Order No. 2-F, Amendment No. 2, filed 2:30 p. m.

#### REGION VI

Chicago, Order No. 5, Amendment No. 16,

filed 2:15 p. m.
Duluth-Superior, Order No. 1-F, Amend-

ment No. 1, filed 2:33 p. m. Green Bay, Order No. 1-F, filed 2:23 p. m.

Green Bay, Order No. 1-F, filed 2:32 p. m.
Green Bay, Order No. 2-F, filed 2:23 p. m.
Milwaukee, Order No. 1-F, filed 2:33 p. m.
Milwaukee, Order No. 1-F, AmendmentNo. 1, filed 2:31 p. m.
Moline, Order No. 1-F, filed 2:21 p. m.
Moline, Order No. 27, filed 2:17 p. m.
Sioux City, Order No. 1-F, filed 2:32 p. m.

## REGION, VIII

Freeno, Order No. 1-F, Amendment No. 1, filed 2:12 p. m.
Portland, Order No. 1-F, filed 2:16 p. m.
Portland, Order No. 11, filed 2:21 p. m. Portland, Order No. 12, filed 2:19 p. m. Scattle, Order No. 3-F, filed 2:12 p. m. Spokane, Order No. 1-F, filed 2:17 p. m.

Copies of these orders may be obtained from the issuing offices.

> ERVIN H. POLLACK. Secretary.

[F. R. Dcc. 44-1665; Filed, February 2, 1944; 4:48 p. m.]

[Region IV Order G-3 Under GMPR] FLUID MILK IN COBB Co., GA.

Order No. G-3 under § 1499.75 (a) (9) (i) of General Maximum Price Regulation (Supplementary Regulation No. 15). Adjustment of approved fluid milk prices in Cobb County, Ga.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration, Region IV by § 1499.75 (a) (9) (i) of the General Maximum Price Regulation and pursuant further to prior written approval of the Price Administrator dated December 14, 1943, it is

hereby ordered:

(a) Adjustment of maximum prices for approved fluid milk in Cobb County, Georgia. On and after December 16, 1943, the maximum prices for approved fluid milk sold and delivered to any person within Cobb County, Georgia at wholesale or retail in glass and paper containers of one quart or less shall be:

	Quarts		Pi	nts	Half-pints	
	Glass	Paper	Ģlass	Paper	-Glass	Paper
Wholesale Retail out-of-	15	Cents 16	8 -	9	4	, 5
Retail home-de-	17	18	9	10 :	5	.6
livered	17	18	9	10	5	6

One-third quart container sizes. The seller shall adjust his maximum wholesale price for one-third quart container sizes, as determined under \$1499.2 General provisions of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart con-tainer sizes as a result of the foregoing listed maximum prices.

Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The seller may use his established maximum price under the General Maximum Price Regulation, or he can determine his adjusted maximum price by adding to the wholesale price paid by him, three cents per pint, two and onehalf cents per one-third quart, and two cents

per half-pint.

Retail sales other than (A) Out-of-store, (B) Home-deliveries, (C) Retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises. The maximum prices for retail sales, other than outof-store sales, home-deliveries, and retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(b) Applicability of the General Maximum Price Regulation and other supplementary regulations and orders of the Office of Price Administration. Except as otherwise provided herein, all transactions subject to this order remain subject to all the provisions of the General Maximum Price Regulation, together with all amendments, supplementary regulations and orders which have heretofore or may hereafter be issued. Specifically, but not by way of limitation, unless the context of this order otherwise requires, the provisions of § 1499.73a (a) (1) (viii) (b), (c), (d), (e), (f) and (g) and § 1499.73a (a) (1) (x) (Supplementary Regulation No. 14A) to the General Maximum Price Regulation, as amended,) shall be applicable and are made a part of this order. Unless the context otherwise requires, all terms used herein shall be construed in accordance with the provisions of § 1499.20 of the General Maximum Price Regulation, as amended.

(c) Atlanta Regional Price Order No. 18 (c)-15, issued January 19, 1943, effective January 21, 1943 and redesignated as Order No. G-13 under section 18 (c) of the General Maximum Price Regulation, is hereby revoked.

(d) This order may be revoked, amended or corrected at any time.

This order shall become effective December 16, 1943.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued January 29, 1944.

ALEXANDER HARRIS, Acting Regional Administrator.

[F. R. Doc. 44-1666; Filed, February 2, 1944; 4:48 p. m.]

## RAILROAD RETIREMENT BOARD.

[Jurisdictional Docket No. 25]

MISSOURI PACIFIC RAILROAD CO., ET AL. NOTICE OF HEARING

Employee statús of individuals performing service under certain agreements between the Missouri Pacific Railroad Company and the Columbia Transfer Company and between the Missouri-Kansas-Texas Railroad Company and the Columbia Terminals Company.

Pursuant to regulations under the Railroad Unemployment Insurance Act (45 U.S.C. 351-367), Part 319, §§ 319.42 et seq. (7 F.R. 4777), the following orders have been issued:

Order Awarding Benefits on the Basis of Compensation Earned in Service Under Certain Agreements Between the Missouri Pacific Railroad Company and the Columbia Transfer Company and Between the Missouri-Kansas-Texas Railroad Company and the Columbia Terminals Company

In accordance with the determination of the issues presented and passed upon in my opinion of October 31, 1942, L-42-599, and in my opinion of July 7, 1943, L-43-511, holding (1) that individuals who are, or have been, engaged in the performance of service under an agreement dated October 1, 1941, between the Missouri Pacific Railroad Company and the Columbia Transfer Company, covering the transportation of freight, are, and have been, subject to the continuing authority of the Missouri Pacific Railroad Company to supervise and direct the manner of rendition of their service, which service they render for compensation, and therefore that such individuals are, and have been, with respect to their service under the agreement, employees of the Missouri Pacific Railroad Company under the Railroad Retirement Act and the Railroad Unemployment Insurance Act, and (2) that individuals who are, or have been, engaged in the performance of service under an agreement dated November 20, 1939, between the Missouri-Kansas-Texas Railroad Company and the Columbia Terminals Company, covering the transportation of freight, are, and have been, subject to

the continuing authority of the Missouri-Kansas-Texas Railroad Company to supervise and direct the manner of rendition of their service, which service they render for compensation, and therefore that such individuals are, and have been, with respect to their service under the agreement, employees of the Missouri-Kansas-Texas Railroad Company under the Railroad Retirement Act and the Railroad Unemployment Insurance Act:

Benefits are hereby awarded to all individuals whose compensation earned in service under the above-mentioned agreements exclusively or in addition to compensation earned in other employee service for covered employers, is \$150 or more in the applicable base year, such benefits to be determined in accordance with section 2 (a) of the Railroad Unemployment Insurance Act by including compensation earned in service under the above-mentioned agreements, and to be payable for any days of unemployment established in accordance with the Railroad Unemployment Insurance Act and applicable regulations: Provided, however, That all benefits paid pursuant to this award shall be paid subject to a right of recovery thereof as provided in section 5 (c) of the Railroad Unemployment Insurance Act.

Order entered and award of benefits made pursuant to authority vested in me by regulations § 319.40, this 21st day of January, 1944.

> JOSEPH H. FREEHILL, General Counsel.

Order Reopening Initial Determination on Employee Status of Individuals Performing Service Under Certain Agreements Between the Missouri Pacific Railroad, Company and the Columbia Transfer Company and Between the Missouri-Kansas-Texas Railroad Company and the Columbia Terminals Company and Designating Examiner

Whereas the General Counsel on October 31, 1942, issued an opinion, L-42-599, and on July 7, 1943, issued an opinion, L-43-511, holding (1) that individuals who are, or have been, engaged in the performance of service under an agreement dated October 1, 1941, between the Missouri Pacific Railroad Company and the Columbia Transfer Company, covering the transportation of freight, are, and have been, subject to the continuing authority of the Missouri Pacific Railroad Company to supervise and direct the manner of rendition of their service, which service they render for compensation, and therefore that such individuals are, and have been, with respect to their service under the agreement, employees of the Missouri Pacific Railroad Company under the Railroad Retirement Act and the Railroad Unemployment Insurance Act, and (2) that individuals who are, or have been, engaged in the performance of service under an agreement dated November 20. 1939, between the Missouri-Kansas-Texas Railroad Company and the Coumbia Terminals Company, covering the transportation of freight, are, and have

been, subject to the continuing authority of the Missouri-Kansas-Texas Railroad Company to supervise and direct the manner of rendition of their service, which service they render for compensation, and therefore that such individuals are, and have been, with respect to their service under the agreement, employees of the Missouri-Kansas-Texas Railroad Company under the Railroad Retirement Act and the Railroad Unemployment Insurance Act; and

Whereas the Columbia Transfer Company, through its attorney, on July 16, 1943, notified the General Counsel of the Board that the Columbia Transfer Company questioned the correctness of the General Counsel's determination and requested an opportunity to be heard further on the question of the employee status of the individuals concerned, and the Missouri-Kansas-Texas Railroad Company, on October 26, 1943, notified the Executive Officer of the Board that the Missouri-Kansas-Texas Railroad Company questioned the correctness of such determination; and

Whereas in accordance with § 319.40 of Part 319 of the regulations governing proceedings under section 5 (c) of the Railroad Unemployment Insurance Act, the General Counsel, on January 21, 1944, entered a general order awarding benefits on the basis of compensation earned in service under the above-mentioned agreements entered into between the Missouri Pacific Railroad Company and the Columbia Transfer Company, and between the Missouri-Kansas-Texas Railroad Company and the Columbia Terminals Company, subject to a right of recovery of any benefits paid pursuant to such order as provided in section 5 (c) of the Railroad Unemployment Insurance Act:

Now, therefore, the General Counsel, pursuant to the authority vested in him by Part 319 of the regulations, orders and directs that:

(1) The General Counsel's determinations of October 31, 1942, L-42-599, and of July 7, 1943, L-43-511, be, and they hereby are, reopened for further consideration and proceedings in accordance with Part 319 of the regulations; and

that

(2) For the conduct of such proceedings, Mr. Samuel Karp is designated to serve as Examiner, with all powers, duties, and functions accruing to such Examiner pursuant to such designation under Part 319 of the said regulations. The Examiner shall arrange for a hearing at the earliest date meeting the convenience of parties in interest, and shall notify all parties properly interested in any issue involved in the proceeding of their right to participate in the proceeding and to present evidence and argument.

Dated: January 21, 1944.

JOSEPH H. FREEHILL, General Counsel.

Pursuant to the above orders, notice is hereby given that a hearing will be held Wednesday, February 23, 1944, at 10:00 a.m., in Room 519 Grand Jury Room, 5th Floor, United States Post Office Building, Kansas City, Missouri, on the following questions:

(1) Have the individuals, engaged in the performance of service under the agreement entered into October 1, 1941 between the Missouri Pacific Railroad Company and the Columbia Transfer Company, covering the transportation of freight, been, and are they, with respect to such service, employees of the Missouri Pacific Railroad Company, within the meaning of the Railroad Unemployment Insurance Act?

(2) Have the individuals, engaged in the performance of service under the agreement entered into November 20, 1939 between the Missouri-Kansas-Texas Railroad Company and the Columbia Terminals Company, covering the transportation of freight, been, and are they, with respect to such service, employees of the Missouri-Kansas-Texas Railroad Company, within the meaning of the Railroad Unemployment Insurance Act?

The Missouri Pacific Railroad Company, the Columbia Transfer Company, the Missouri-Kansas-Texas Railroad Company, the Columbia Terminals Company, the individuals who have been awarded benefits on the basis of pay earned in service under the above-mentioned agreements, and all other parties properly interested may participate in the hearing and will be afforded an opportunity to present evidence and to make arguments before the Examiner.

In preparation for, and in the conduct of, said hearing, the Examiner is authorized to require and compel the attendance of witnesses, administer oaths, take testimony, and make all necessary investigations. A record will be kept of all evidence and argument presented, orally or in writing, at said hearing. The evidence presented orally will be under oath. The Examiner may require that copies of all exhibits admitted in evidence at the hearing be furnished by the party offering the same to all other parties participating or entering an appearance in the proceeding.

Samuel Karp, Examiner.

FEBRUARY 1, 1944.

[F. R. Doc. 44–1670; Filed, February 3, 1944; 10:00 a.m.]

SECURITIES AND EXCHANGE COM-MISSION.

[File No. 70-823]

CONSOLIDATED ELECTRIC AND GAS CO. AND THE ISLANDS GAS AND ELECTRIC CO.

ORDER GRANTING APPLICATION AND PERLIIT-TING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 31st day of January 1944.

Consolidated Electric and Gas Company ("Consolidated"), a registered holding company, and The Islands Gas and Electric Company ("Islands"), a holding company and a subsidiary of Con-

solidated, having filed an application and declaration pursuant to the Public Utility Holding Company Act of 1935, regarding the acquisition by Consolidated of a 6% demand note in the principal amount of \$2,500,000 of Islands held by International General Electric Company, Inc., which note is unconditionally guaranteed by Consolidated as to payment of both principal and interest, by the payment to said holder of \$2,125,000 (representing 85% of the principal amount of such note) and accrued interest to the date of payment, for which payment said holder has agreed to surrender said note and to release Consolidated from said guaranty;

Consolidated having requested that the jurisdiction retained to this Commission by its order of December 30, 1943, (Holding Company Act Release No. 4806, File No. 70–789) over the use of certain moneys proposed to be paid to Consolidated by certain of its subsidiary companies in connection with the filing of consolidated tax returns be released to the extent necessary to permit Consolidated to utilize such portion of said moneys as may be necessary in the consummation of the presently proposed transaction;

A public hearing having been held upon said joint application and declaration, after appropriate notice, and the Commission having considered the record herein and having made and filed its findings thereon;

It is ordered, That said application be, and the same is hereby, granted, and said declaration be, and the same is hereby, permitted to become effective forthwith, said application being so granted and said declaration being so permitted to become effective subject to those terms and conditions prescribed by Rule U-24;

It is further ordered, That the jurisdiction reserved to this Commission by its order of December 30, 1943 (Holding Company Act Release No. 4806, File No. 70–789) over the use of certain moneys proposed to be paid to Consolidated by certain of its subsidiaries in connection with the filling of consolidated tax returns be, and it is hereby, released, to the extent that Consolidated be, and it is hereby, authorized to utilize such portion of said moneys as may be necessary in the consummation of the note transaction hereinabove described.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F. R. Doc. 44-1653; Filed, February 2, 1944; 2:40 p. m.]

[File Nos. 70-641, 59-62]

GENERAL GAS AND ELECTRIC CORP. ET AL.

ORDER CLARIFYING PREVIOUS ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 1st day of February 1944.

In the matter of General Gas & Electric Corporation, Florida Power Corporation, Florida Public Service Company,

Sanford Gas Company, Sante Fe Land Company, Georgia Power and Light Company, File No. 70-641: Georgia Power and Light Company, General Gas & Electric Corporation, File No. 59-62.

The Commission having, on September 7, 1943, published its findings and opinion and issued its order herein granting certain applications and permitting certain declarations to become effective forthwith, subject, among other things, to the terms and conditions prescribed in Rule U-24; applicants-declarants having thereafter amended their filing, requesting, among other things, that certain supplemental findings be made and that the time for consummation of the transactions authorized by said order of September 7, 1943, be extended until sixty days after the date on which the Commission issued its supplemental order: the Commission having issued its supplemental order on January 11, 1944, without express reference to the request for extension of time; applicants-declarants having now requested that a clarifying order be issued expressly setting forth the Commission's disposition of their request for extension of time; and it appearing to the Commission that it is appropriate to grant such request;

It is hereby ordered, That there be, and there hereby is, added to the last sentence of the order of this Commission issued January 11, 1944, herein, the fol-

lowing:

except that the time within which applicants-declarants may consummate the various transactions, authorized by said order of September 7, 1943, and by this order, is hereby extended until sixty days from the date of this

It is further ordered, That said clarifying addition be deemed to have been effective as of January 11, 1944.

By the Commission.

[SEAL]

ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 44-1654; Filed, February 2, 1944; 2:40 p. m.]

[File Nos. 54-79, 59-52]

NIAGARA HUDSON POWER CORP. ET AL.

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 31st day of January,

In the matter of Niagara Hudson Power Corporation, Buffalo, Niagara and Eastern Power Corporation, Applicants, File No. 54-79; Niagara Hudson Power Corporation and its subsidiary companies, Respondents, File No. 59-52.

The Commission having previously designated February 8, 1944 as the date for hearing in the above consolidated proceedings involving the application of Niagara Hudson Power Corporation and Buffalo, Niagara and Eastern Power Corporation under section 11 (e) of the Public Utility Holding Company Act of 1935 for approval of a "Plan of Reorganization of the Niagara Hudson System" which Plan provides, among other things, for the consolidation of Buffalo, Niagara and Eastern Power Corporation and the principal public-utility companies in the Niagara Hudson Power Corporation system; and

The Public Service Commission of the State of New York having on January 21, 1944 denied the petition for approval of said consolidation, and counsel forthe applicants having requested that the hearing be postponed indefinitely, and the Commission deeming it appropriate to postpone the hearing subject to further order of the Commission:

It is ordered, That the hearing in this matter previously scheduled for February 8, 1944 at 10 a.m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, be, and hereby is, postponed subject to further order of the Commission.

By the Commission.

[SEAL]

ORVAL L. DUBOIS. Secretary.

[F. R. Doc. 44-1655; Filed, February 2, 1944; 2:40 p. m.]

[File No. 30-206]

STANDARD OIL CO. (NEW JERSEY)

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 31st day of January

Standard Oil Company (New Jersey), a registered holding company, having filed an application pursuant to section 5 (d) of the Public Utility Holding Company Act of 1935 requesting an order that it has ceased to be a holding company; and

Appropriate notice having been given and a public hearing held, the Commission having considered the record and having made and filed its findings and

opinion herein; and-

The Commission finding that Standard Oil Company (New Jersey) has ceased to be a holding company and that the registration of said company as a holding company should cease to be in' effect, and that it is not necessary to impose terms or conditions for the protection of investors in connection with the termination of such registration, other than to reserve jurisdiction, with respect to the continuation of services for Interstate Natural Gas Company, Incorporated, by Frank H. Lerch, Jr., President of Consolidated Natural Gas Com-

It is ordered and declared, That Standard Oil Company (New Jersey) has ceased to be a holding company, and that the registration of Standard Oil Company (New Jersey) as a holding company be, and is by virtue of this order, no

longer effective, jurisdiction being reserved, however, to enter further orders after notice and opportunity for hearing regarding the continuation of services for Interstate Natural Gas Company, Incorporated, by Frank H. Lerch, Jr., President of Consolidated Natural Gas Company.

By the Commission.

[SEAL]

ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 44-1656; Filed, February 2, 1944; 2:40 p. m.]

[File No. 1-2842]

THE SCRANTON LACE CO.

ORDER SETTING HEARING ON APPLICATION

At a regular session of the Sacurities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 1st day of February, A. D. 1944.

The Scranton Lace Company, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its Common Stock, No Par Value, from listing and registration on o the New York Curb Exchange:

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an oppor-

tunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a.m. on Monday, March 20, 1944, at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Robert P. Reeder, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 44-1657; Filed, February 2, 1944; 2:40 p. m.]

[File No. 1-759]

NORTHWESTERN TELEGRAPH CO.

ORDER SETTING HEARING ON APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 1st day of February, A, D. 1944.

In the Matter of Northwestern Telegraph Company, 41/2% first mortgage thirty-year funding gold bonds, due January 1, 1934, extended to Jan. 1, 1944. The New York Stock Exchange, pur-

The New York Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the 4½% First Mortgage Thirty-Year Funding Gold Bonds, due January 1, 1934, extended to January 1, 1944, of Northwestern Telegraph Company:

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an oppor-

tunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a.m. on Monday, February 14, 1944, at the office of the Securities and Exchange Commission, 120 Broadway, New York, New York, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That William J. Cogan, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F. R. Doc. 44-1690; Filed, February 3, 1944; 11:07 a. m.]

[File No. 70-813].

AMERICAN POWER AND LIGHT Co.

ORDER EXEMPTING TRANSACTIONS FROM CERTAIN REQUIREMENTS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 1st day of February 1944.

American Power & Light Company ("American") having filed on its behalf and on behalf of its subsidiary, The Montana Power Company ("Montana"), an application and amendments thereto pursuant to Rule U-100 of the Rules and Regulations of this Commission seeking an exemption from the provisions of section 12 (c) of the Public Utility Holding Company Act of 1935 and Rule U-42 thereunder for the payment from time to time by certain wholly-owned non-utility subsidiaries of sums owned by them, in the form of bonds, notes, or open accounts, to American or Montana; the said subsidiaries of American being Big Bend Transit Company and Washington Irrigation and Development Company, all of the securities of which (except directors' qualifying shares) are owned by American; the said subsidiary of Montana being Great Falls Townsite Company, all of the securities of which (except directors' qualifying shares) are owned by Montana: and

Said application having been filed on November 10, 1943 and the last amendment thereto having been filed on January 12, 1944 and notice of said filing having been duly given in the form and manner, prescribed by Rule U-23 promulgated pursuant to said act and the Commission not having received a request for a hearing with respect to said application within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission having considered the matter and it appearing that an exemption of such transactions from the applicable sections of the act or rules thereunder will not be detrimental to the public interest or the interests of investors or consumers;

It is ordered, That said application, as amended, for exemption pursuant to Rule U-100 be, and the same hereby is, granted subject to the terms and conditions contained in Rule U-24, except the

condition requiring that the transactions be carried out within sixty (60) days after the granting of the application.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F. R. Doc. 44-1691; Filed, February 3, 1944; 11:07 a. m.]

#### WAR PRODUCTION BOARD.

NOTICE TO BUILDERS AND SUPPLIERS OF REVOCATIONS OF AUTHORIZATION TO BEGIN RECONSTRUCTION

The War Production Board has issued an order revoking authorization to begin construction and stopping construction. For the effect of said order upon the construction of the project and delivery of materials therefor the builder and his suppliers shall refer to the order issued to the builder.

Issued February 2, 1944.

War Production Board, By J. Joseph Whelan, Recording Secretary.

Authoriza- tion	Serial No.	Name and address of buil for	Lecation of project	Date of fruance of revceation
PD-443	L-41, 44-2-25/8	1663 17th St. Corporation and Samuel Friedman, New York, N. Y.	Breoklyn, N. Y.	Jan. 12,1944

[F. R. Doc. 44-1623; Filed, February 2, 1944; 11:25 a. m.]

NOTICE TO BUILDERS AND SUPPLIERS OF CANCELLATION OF STOP CONSTRUCTION ORDERS

The War Production Board has issued certain orders listed in Schedule A below which cancel prior orders stopping construction on projects. For the effect of each such order upon the construction of the project and the delivery of materials therefor, the builders and suppliers affected shall refer to the specific order issued to the builder.

Issued February 2, 1944. .

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

## Schedule A

Preference rating order	Serial No.	Name and address of builder -	Lecation of project	Date of fernance of cancellation
P-19-c P-19-c P-19-c	20A 153E 25187	Wayna County Reed Commission, Lancing, Mich. Michigan State Highway Department, Lancing, Mich. Arkaneas State Highway Commission, Little Reek, Ark.	Inketer, Mich	Jan. 17,1044 Jan. 17,1044 Jan. 20,1044

[F. R. Doc. 44-1630; Filed, February 2, 1944; 11:25 a. m.]

Notice to Builders and Suppliers of Amendments to Orders Revoking Preference Ratings for Projects or Stopping Construction on Projects

The War Production Board has issued certain orders listed in Schedule A below which amend prior orders revoking preference ratings for projects or stopping construction on projects or both. For the effect of each such amending order upon preference ratings, the construction of the project and the delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued February 2, 1944.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

#### SCHEDULE A

Preference rating order	Serial No.	Name and address of builder	Location of project	Date of issuance of amendment
P-19-0 P-19-e	582-E	Oklahoma State Highway Department, Oklahoma City, Okla. Montana State Highway Commission, Helena, Mont. Board of County Commissioners, Dade County, Fla.	McCone County,	· '

[F. R. Doc. 44-1631; Filed, February 2, 1944; 11:25 a. m.]

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The War Production Board has issued certain revocation orders listed in Schedule A below, revoking preference rating orders issued in connection with, and stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder. Issued February 2, 1944.

War Production Board, By J. Joseph Whelan, Recording Secretary.

Preference rating order	Serial No.	Name and address of builder	Location of project	Date of issuance of revocation
CMPL-224 CMPL-224 P-19-h P-19-h	107, 567 108, 512 84, 150 89, 308	Victor Chemical Works, Chicago, III.——Phillips Petroleum Co., Washington, D. C. The Texas Co., New York, N. Y. Carnegie-Illinois Steel Corporation, individually or as agent for Defense Plant Corporation, Pittsburgh. Pant	Mt. Pleasant, Tenn Oklahoma City, Okla. Wilmington, Calif Gary, Ind	Jan. 12, 1944 Jan. 14, 1944 Jan. 18, 1944 Jan. 21, 1944
P-19-h	89, 309	Carnegie-Illinois Steel Corporation; individually or as agent of Defense Plant Corporation. Pittsburgh. Pa.	Braddock, Pa	Jan. 21, 1944
P-19-h	89, 313	Carnegie-Illinois Steel Corporation, indi- vidually or as agent of Defense Plant Corporation, Pittsburgh, Pa.	Munhall, Pa	Jan. 21, 1944
P-19-h	92, 484	Carnegie-Illinois Steel Corporation, indi- vidually or as agent of Defense Plant Corporation, Pittsburgh, Pa.	Chicago, Ill	Jan. 21, 1944
CMPL-224	102,065	International Business Machines Corporation, Endicott, N. Y.	Endicott, N. Y	Jan. 25, 1944

[F. R. Doc. 44-1632; Filed, February 2, 1944; 11:25 a. m.]

° [Certificate 158, Amdt. 1]

PRINCIPAL PETROLEUM PRODUCTS IN DISTRICT ONE

APPROVAL OF PAW AMENDMENT

The Attorney General:

Referring to Certificate No. 158, issued pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), on November 11, 1943, I submit herewith Amendment No. 1 to Directive 59 as amended December 1, 1943, of the Office of Petroleum Administration for War.<sup>2</sup>

For the purposes of the statute cited, I approve the amendment; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with, Petroleum Directive 59 as amended is requisite to the prosecution of the war.

Devan M. Neison

Donald M. Nelson, Chairman.

JANUARY 29, 1944.

[F. R. Doc. 44-1684; Eiled, February 3, 1944; 11:09 a. m.]

<sup>18</sup> F.R. 15805.

<sup>&</sup>lt;sup>2</sup> Supra.